

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:	2026/44/91699/E
Site Address:	Land adjacent to, 480, Halifax Road, Hightown, Liversedge, WF15 8DX
Description:	Discharge of details reserved by conditions 9 (boundary treatment plan), 12 (Remediation Strategy) and 13 (Verification Report) on previous permission 2024/92529 for erection of 3 dwellings and associated works
Recommending Officer:	Nicole Helliwell

DECISION – DISCHARGE OF CONDITIONS – SPLIT DECISION

I hereby authorise the partial 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: 24-Aug-2026

Officer Report

Reference No. 2026/44/91699/E

Site Address: Land adjacent to, 480, Halifax Road, Hightown, Liversedge, WF15 8DX.

Proposal: Discharge of details reserved by condition 9 (boundary treatment plan), 12 (Remediation Strategy) and 13 (Verification Report) on previous permission 2024/92529 for erection of 3 dwellings and associated works

Assessment

Condition 9 – Boundary Treatment

9. Notwithstanding the submitted plans and information, a boundary treatment plan, detailing the location, materials and heights shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be installed prior to the occupation of each dwelling and thereafter retained.

Reason: *To ensure that there is a well laid out landscaping scheme in the interests of amenity, and to accord with the aims of Policy LP24 of the Kirklees Local Planning and the aims of the National Planning Policy Framework.*

Assessment of Condition 9

The applicant has submitted a Boundary Treatment Plan (reference no. 90097-BAS-00-00-DR-A-00112-S4-P1, dated 28th August 2024) which details the location, height and materials of the proposed boundary treatments. The proposed boundary treatment would comprise a 2.1m high feather lapped timber fence along the eastern and western boundaries of the site and to separate the private outdoor amenity spaces to the north. A half height wall with half height feather lap fence measuring 2.1m in total would also be erected along the northern boundary of the site. Furthermore, the existing stone walls will be retained to the front as per the submitted drawing. The proposed boundary treatments would not cause any significant harm to visual amenity. Therefore, these details are deemed to be acceptable for the purposes of the condition and therefore condition 9 can be discharged. This is subject to the hereby approved boundary treatments being completed in accordance with the approved details and thereafter retained.

Condition 12 – Remediation Strategy

12. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (11). 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. 196 and 197 of the National Planning Policy Framework.*

Condition 13 – Verification Report

13. 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 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.

Reason: *To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.*

Assessment of Conditions 12 and 13

The application is accompanied by a Remediation Strategy by G&M Consulting (dated July 2025, reference no. C723/RS) was submitted pursuant to Condition 11 and the condition was discharged under planning application reference no. 2025/92056. KC Environmental Health acknowledge receipt of a letter from Tim O'Hare Associates (dated 25th November 2025, reference no. TOHA/25/7081/2/SS) which provides a 'Topsoil Analysis Report: Barnsdale Landscape Grade Topsoil'.

The submitted analysis demonstrates that the proposed imported topsoil is suitable for use and accords with the requirements set out within the approved Remediation Strategy. However, the approved Remediation Strategy states within Section 7: Post Reclamation Requirements that, *"following completion of the remediation works, a Validation Report shall be prepared and submitted to the Local Planning Authority."* This report is required to demonstrate that the remediation has been carried out in accordance with the approved strategy and current good practice guidance, including YALPAG validation requirements.

For clarity, the submitted soil analysis is accepted as evidence of the suitability of the proposed imported material. However, it does not constitute the Verification Report required by the approved Remediation Strategy.

Condition 12 (Remediation and Unexpected Contamination) cannot be discharged at this stage, as compliance can only be demonstrated once the groundworks and any necessary remediation measures have been completed, including confirmation of how any unexpected contamination encountered during development has been addressed.

Condition 13 (Verification Report) cannot be discharged until the required verification documentation has been submitted following completion of the remediation and groundworks.

Decision Notice Text

Condition 9 – Boundary Treatments

The following information has been submitted:

- Boundary Treatment Plan (reference no. 90097-BAS-00-00-DR-A-00112-S4-P1, dated 28th August 2024)

In conclusion, it is considered that the proposed boundary treatment details are acceptable for the purposes of condition 9. However, condition 9 can only be fully discharged when the boundary treatments are constructed and maintained in accordance with the details approved.

Condition 12 – Remediation Strategy

Condition 12 (Remediation and Unexpected Contamination) cannot be discharged at this stage, as compliance can only be demonstrated once the groundworks and any necessary remediation measures have been completed, including confirmation of how any unexpected contamination encountered during development has been addressed.

Condition 13 – Verification Report

Condition 13 (Verification Report) cannot be discharged until the required verification documentation has been submitted following completion of the remediation and groundworks.

