
From: Paul Butler
Sent: 01 May 2025 16:22
To: Nick Hirst ; Natalie Heaney
Cc: Sam Buswell Andrew
Naylor Katie Wesson
Rob Carter Josh Brodrick ; Thomas Dixon
Louis Andrews
Subject: Blackmoorfoot Road - Conditions 32 & 33 - Conditions Discharge Application Ref. 2024/92891
Importance: High

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Good afternoon Nick and Natalie,

I write in respect of the above condition discharge application associated with the outline planning approval at Blackmoorfoot Road, Crosland Moor, Huddersfield (Ref. 2020/92546).

The application to discharge the two conditions was originally supported by the following documents: prepared by Lithos: -

- Condition 32: -
 - Geoenvironmental Appraisal – Ref. 4486/2B - dated December 2023
 - Gas Risk Assessment – Ref. 092/4486/AG/jhr - dated April 2024
- Condition 33: -
 - Remediation Strategy – Ref. 4486/3C - dated October 2024

In response the enclosed comments received from Natalie in respect of the original submission (dated 5th November) included the following conclusions: -

- Condition 32: -

- Area A - *The report concludes that remediation is required across the fireworks site (Area A) for inorganic contaminants and asbestos, and for two isolated pockets of organic contamination. The report also recommends that the quarry backfill requires turnover earthworks. There were notable limitations to the fieldwork undertaken by Lithos. Many obstructions (buildings, hardstanding etc.,) were noted during the works and Lithos have recommended a post demolition investigation to assess the ground conditions and commination in areas that were inaccessible at the time of the investigation.*
- Area B - *Area B (c. 40% of the site) showed no significant contamination and there were no visual or olfactory evidence of hydrocarbon contamination was recorded. Made ground was only encountered in 3 trial pits (TPs 538, 547 and 549) in the far south of the western fields next to Blackmoorfoot Road and Felks Stile Road. No made ground was encountered in the eastern fields. Samples from area B were considered uncontaminated.*
- Overall - *We have reviewed the report, and the contents are accepted. Recommend that Condition 32 is discharged.*
- Condition 33 – *A list of remediation measures has been proposed for the site including clearance of the site, turnover of made ground materials, the installation of gas protection measures and application of clean cover; however, we expect the document to be revised after the post-demolition works are completed. The updated remediation strategy should include more detailed information, for instance on the proposed on-site treatment of hydrocarbon-impacted soils, clarification of the plot by-plot remediation mentioned in the current report, and a clear plan outlining the areas where remediation is required.*

For ease of review, a plan outlining Area A and Area B is enclosed. The originally submitted reports are also enclosed.

Since the issuing of the original response a number of discussions have taken place in respect of the most feasible manner in which to provide the further information requested when taking into consideration that the demolition of the buildings required to enable the undertaking of the further site investigation works cannot take place due to condition 33 being a pre-commencement condition (including groundworks/demolition) and also due to the recommendations of the approved protected species reports.

Accordingly, the applicants have taken the decision to discharge the conditions in phases to enable groundworks/demolition to commence on site in order to ensure that the whole development (and the delivery of much needed homes) is not stalled for a further 6-months.

Before I outline the proposed approach, we need to make it clear at the start that the approach will only work on the basis that the future application which will be submitted to discharge the conditions in relation to the remaining area of the site is approved within a 4-week period. Otherwise, there could be the real risk that works on site would be stalled whilst the application is being determined. If the Council can reaffirm their continued commitment to working with the applicants to ensure the timely discharge of the future application that would be greatly appreciated.

The proposed strategy is summarised as follows with reference to the enclosed plan: -

- Area B – Condition 32 & 33 can be discharged in full for this area of the site on the basis of the original reports (listed above) that were submitted alongside the conditions discharge application. The aforementioned formal consultation response confirms this position.
- Phase 1 Earthworks Area – This area is outlined in Blue on the enclosed plan and includes parcels located within Area A & Area B – This phase relates to the immediate parcel of the site where the applicants are required to undertake initial earthworks and where limited demolition is required. It incorporates parcels of land located within Area A and Area B. As outlined above, no further investigations were required in respect of the Area B parcel of this phase on account of the conclusions/approval of the originally submitted documentation (listed above). Therefore, to enable earthworks to commence within this phase Lithos have undertaken the further required investigations in respect of the Area A parcel of this phase and have prepared a separate Geo-Environmental Appraisal and Remediation Strategy for this phase. The conclusions of this work are provided in the following documents which are enclosed with this submission: -
 - Geo-Environmental Appraisal – Additional Investigations for Phase 1 EW Area Only – Ref. 4487/7 – dated March 2025
 - Remediation Strategy – Phase 1 Earthworks Area Only – Ref. 4486/8 – dated March 2025
- Remaining Area A – Once the recommendations of the protected species surveys are undertaken/completed the required investigation work for the remaining phases of Area A will be completed and a further Geo-Environmental Appraisal and Remediation Strategy will be prepared and submitted to the Council for this phase within a future condition discharge application in respect of Conditions 33. As requested above, it is essential that this application is determined quickly in order to ensure works do not stall on site in the future.

A link to the all of the aforementioned documents is provided here: - <https://we.tl/t-rPPzXdgnr7>

Can you please confirm receipt of the enclosed documents and undertake your review as expediently as possible in order for Conditions 32 to be discharged in full and for 33 to be discharged in respect of the Phase 1 Earthworks Area and the whole of Area B.

For clarity, each of the submitted documents will be required to be included/referenced on the conditions discharge decision notice for completeness as they cross refer/relate to one another.

Please do not hesitate to contact me should you have any queries or if you would like to discuss the submitted documents in further detail.

As always, Julia and Adam from Lithos are available to discuss the content of the reports directly if needed.

Kind regards,

Paul

Paul Butler
Director



www.pbplanning.co.uk

PO Box 778, York, YO1 0LT