



Kirklees Council

Planning Development Management

2 February 2025

Our Ref: TP0723

FAO Victor Grayson

Dear Sirs,

Application 2025/90090 – East Bierley Playing Fields, Hunsworth Lane, East Bierley, BD4 6PU

Further to recent email exchanges in connection with the above, we would like to change the description of the application to the following to allow a different process for dealing with the following:-

- Variation of condition 2 (plans and specifications) – to cover the layout changes.
- Variation of condition 22 (ground conditions) – as we wish to remove the pre-commencement trigger on this condition as work on reprofiled grass pitch is one of the final phases of the project, possibly 5 years on from now.
- Deletion of condition 13 (remediation) – The attached report was submitted in respect of condition 11 and covered more than just the coal mining legacy on the site. It concludes that no further remediation is necessary thus questioning the need for condition 13.
- Variation of condition 14 (remediation) – this would allow an opportunity to deal with any contamination not previously considered is identified or encountered on site

Taking account of the above, the description should change to:-

Suite 1, Wellington House, Lincoln Street, Huddersfield HD1 6RX
Mob 07770514721 & 07984515032 www.d5planning.com
E-mail d5planning@outlook.com





Variation of conditions 2 (plans and specification), 14 (remediation) and 22 (ground conditions) and deletion of condition 13 (remediation) of previous permission 2021/90357 for works to existing sports facilities – amendments to layout, removal of pre-commencement trigger from condition 22, and removal/variation of remediation requirements.

Condition 14

The proposed change to condition 14 is set out below.

14. Following commencement of work on site, if any contamination not previously considered is identified or encountered on site, all works in the relevant part of the site (other than site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within two working days. Unless otherwise agreed in writing with the Local Planning Authority, works shall not recommence in the relevant part of the site until proposed revisions to the Remediation Strategy (including details of measures to ensure contamination does not spread from one part of the site to another) 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

This condition is necessary to ensure that any unexpected contamination is identified and suitable remediation measures are agreed at an appropriate stage of the development





process.

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Taking all the above into account and the fact that, apart from the removal of condition 13, all the issues raised by the conditions would still be dealt with but don't need to be dealt with as pre-commencement conditions, we would welcome an initial acknowledgement in an email from you that, without prejudice to due consideration of the submitted detail, all the other pre-commencement conditions have been satisfied so that work on the first phase of the development can commence without the Council taking action in respect of any breach of condition.

As explained, this is critical given the funding secured from Sport England/Football Foundation, and the fact the permission will lapse on the 11 March 2025 unless a material start is made.

Given the logistics of informing contractors of a start date we need to have a response to this matter by close of business on Monday 3 February 2025.

Kind regards,

David Storrie

David Storrie Dip TP, MRTPI

