

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:	2025/44/92069/W
Site Address:	7, Ashgrove Road, Deighton, Huddersfield, HD2 1FQ
Description:	Discharge of details reserved by conditions 15 (Phase II Intrusive Site Investigation Report), 16 (Remediation Strategy) on previous permission 2019/93662 for demolition of existing buildings and erection of five storey storage facility with offices and parking
Recommending Officer:	Katie Chew

DECISION – Discharge of Condition – Approve

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.

Nick Hirst

AUTHORISED OFFICER

Date: 12-Nov-2025

Application: 2025/92069

Application Site: 7, Ashgrove Road, Deighton, Huddersfield, HD2 1FQ.

Proposal: Discharge of details reserved by conditions 15 (Phase II Intrusive Site Investigation Report), 16 (Remediation Strategy) on previous permission 2019/93662 for demolition of existing buildings and erection of five storey storage facility with offices and parking.

Assessment:

Condition 15 (Phase 2)

15. Where further intrusive investigation is recommended in the Preliminary Risk Assessment (Phase 1 Report) approved pursuant to Condition 14, 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 ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use'.*

In support of Condition 15, the following documents have been submitted:

- Phase 2 Geo-Environmental Report, authored by RGS, ref no. C727/20/E/1120, dated June 2020, received 23/07/2025.
- Letter by Eastwoods Consulting, titled Hanson Logistics, 7 Ashgrove Rod, Deighton, Huddersfield (2025/92069) Discharge of conditions 15 and 16, ref: 45229-XX-XX-CO-C-0004SJE/AJK, dated 24/10/2025, received 28/10/2025.

This document has been reviewed by KC Environmental Health, comments received 25/09/2025:

'A Report on a Phase 2 Geo-environmental Investigation Rogers Geotechnical Services Ltd (June 2020, C727/20/E/1120) has been received in support of the application to discharge Condition 15. The document includes geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspects of the report. The Phase 2 report details fieldwork carried out on 15th May 2020. The investigation confirmed that the site is capped with made ground, which varies significantly in thickness and composition, ranging from 1.2 metres to 3.7 metres below ground level. Beneath this, natural soils were encountered and are expected to represent alluvial deposits.

Ground gas and groundwater monitoring began on 27 May 2020 and is described in the report as ongoing. Three standpipes were installed

(WS01, WS04 and WS03), although WS03 was inaccessible during the visit. Peak concentrations recorded were 0.3 % v/v methane and 2.8 % v/v carbon dioxide, with a minimum oxygen level of 17.6 % v/v. Carbon monoxide levels of 258 ppm were detected in CP1. No flow rates were observed, and the boreholes were dry. Monitoring was conducted under steady barometric pressure.

Section 11.1.2 of the report recommends adopting Situation Level 2 for ground gas risk but acknowledges that reassessment will be required once monitoring is complete.

Four samples of made ground were tested for contamination and assessed against a commercial end-use scenario. Exceedances were identified in CP01 for several polycyclic aromatic hydrocarbons. However, as no free product was observed, the results were compared against criteria for the absence of free product. Under this assessment, no exceedances were recorded, and the site was considered generally uncontaminated for the proposed use.

The report also includes an indicative remediation strategy with proposals for ground gas protection measures. Section 12 outlines recommendations for further work, including completion and reporting of the gas monitoring programme and production of a validation report.

Comments

We have read the report provided and the report is not accepted in support of the application to discharge Condition 15. The reasons for these are:

- 1. The report fails to include a clear exploratory hole plan showing the location of boreholes and trial pits in relation to the site's red line boundary. This is important to demonstrate adequate spatial coverage and ensure that the investigation reflects the actual development footprint. Without this, it is not possible to confirm whether the investigation has appropriately targeted all relevant areas of potential contamination. It is also unclear whether additional ground investigation will be necessary following demolition.*
- 1. The ground gas risk assessment is based on a single day of monitoring under steady conditions, which does not meet best practice guidance requiring multiple visits under varied atmospheric conditions.*
- 2. Although the report notes ongoing gas monitoring, it is dated 2020 and no further data has been provided. This lack of robust, current evidence undermines the CS2 classification and any proposed mitigation.*

For these reasons, the Phase 2 report cannot be accepted in support of the application to discharge the condition, and a revised investigation report is required. This must incorporate the points above and be authored in accordance with good practice guidance.

In addition, we note that the planner has requested a review of the supplementary investigation report titled '45229-ECE-XX-XX-RP-C-0002 – Hanson Logistics – Report on Supplementary Ground Investigation'. However, having checked both the planning portal and Anite, this report does not appear to have been made available to Environmental Health for review. It is unclear whether this omission is due to an oversight or if the document was excluded from the supporting submission. We also note other documents have been referred to in the remediation strategy, we request these in support of this condition.

The applicant must address the issues outlined above in full. Following this, we recommend that the planning department consult Environmental Health on any new or updated information to ensure the site can be safely developed. Until such time, we recommend that Condition 15 remains in place'.

Following receipt of the above comments the applicant sought to submit additional information in respect of gas monitoring at the site. KC ENVH have provided the below comments (received 11/11/2025):

'In our response dated the 23rd of September 2025, we required further clarification of the gas monitoring undertaken at site to ensure the contaminated land consultant had sufficiently characterised the site. A letter by Eastwoods Consulting, titled Hanson Logistics, 7 Ashgrove Rod, Deighton, Huddersfield (2025/92069) Discharge of conditions 15 and 16, ref: 45229-XX-XX-CO-C-0004SJE/AJK, dated 24 October 2025 has been submitted. The letter contains the following additional documents: -

- Additional information by RGS, Ref: C727/20/E/GM, dated 13th August 2020*
- A plan titled, investigation positions approximated from site operative's notes.*

The new information provided answers our earlier concerns. The contaminated Land consultant has supplied further gas monitoring data, location points and has used their professional judgement to award the site characterisation situation 2, meaning gas protection will be required. We are offered additional information in regard to possible clean cover systems and validation of imported material.

Having reviewed the information, we make the following recommendation.

On the basis of the professional judgement of the report author and the evidence and interpretations presented in the letter by Eastwoods

Consulting, titled Hanson Logistics, 7 Ashgrove Rod, Deighton, Huddersfield (2025/92069), and the Additional information by RGS, Ref: C727/20/E/GM, dated 13th August 2020, plan titled, investigation positions approximated from site operative's notes. Environmental Health have no objection to the discharge of condition 15'.

Officers concur with the above assessment, and it is therefore recommended that Condition 15 be approved. Given the condition has no ongoing requirements, it may be discharged in full.

Condition 16 (Remediation Strategy)

16. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to Condition 15, groundworks shall not commence until a Remediation Strategy 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. Reason: To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use'.

In support of Condition 16, the following document has been submitted:

- Remediation Implementation Plan, authored by Eastwood, ref no. 45229-ECE-XX-XX-RP-C-0003, Issue 2, dated 24/10/2025, received 28/10/2025.
- Additional information by RGS, Ref: C727/20/E/GM, dated 13th August 2020, received 28/10/2025 (found within *letter by Eastwoods Consulting, titled Hanson Logistics, 7 Ashgrove Rod, Deighton, Huddersfield (2025/92069) Discharge of conditions 15 and 16, ref: 45229-XX-XX-CO-C-0004SJE/AJK*).

This document has been reviewed by KC Environmental Health, comments received 25/09/2025:

'A Remediation Strategy by Eastwood Consulting Engineers (14 July 2025, 45229-ECE-XXXX-RP-C-0003) has been received in support of the application to discharge Condition 15. The document includes geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspects of the report.

We have read the report provided. The remediation strategy references two key documents:

- *Phase 2 Geo-Environmental Report by Rogers Geotechnical Services Ltd (Ref: C727/20/E/1120, dated June 2020)*

- *Gas Monitoring at Hanson Logistics by Rogers Geotechnical Services Ltd (Ref: C727/20/E/GM)*

The strategy advises that these reports should be read in conjunction with the Implementation Plan.

It appears that additional ground investigation and gas monitoring has been undertaken since the original RGS report in 2020, and this is referenced within the remediation strategy. Based on this, Eastwood Consulting Engineers (ECE) recommend Characteristic Situation Level 2 ground gas protection measures. Verification proposals for these measures are included and refer to C735 and YALPAG guidance.

ECE also recommend full hardstanding across the site and the use of a clean cover system with a minimum depth of 600mm in areas of soft landscaping. The report notes that no topsoil is currently present on site, and both topsoil and subsoil will need to be imported. It is recommended that these materials meet the physical and chemical criteria outlined in Sections 5.2 and 5.3 of the report.

Comments

We have reviewed the report submitted in support of the application to discharge Condition 16 and do not accept it. Our reasons are as follows:

- *Key documents referenced within the remediation strategy, which are essential to understanding the proposed approach, have not been included in the submission. Their absence limits our ability to fully assess the strategy.*
- *The report presents conflicting information regarding cover systems. It refers to proposals for clean cover, yet later states that no capping is required and verification is unnecessary. This contradiction must be clarified to ensure the remediation approach is appropriate.*

Until these issues are addressed, the report cannot be accepted in support of discharging Condition 16.

Separate to the report by ECE, we cannot consider the discharge of this condition fully when there are outstanding matters in relation to Condition 15.

For these reasons, we recommend that Condition 16 remain until further notice'.

Following receipt of the above comments the applicant sought to submit a revised remediation implementation plan. KC ENVH have provided the below comments (received 11/11/2025):

'In support of the discharge of condition 16 a Remediation Implementation Plan by Eastwood Consulting Engineers, ref: 45229, issue 2, dated 24th of October 2025 has been submitted.

The revised report reviews earlier ground investigation information, in relation to soil contamination it informs: "as no elevated concentrations of contaminants were recorded, remediation or mitigation is considered unnecessary." It goes on to provide information on the possibility of unexpected contamination being observed during construction and the provision of suitable growth medium in any areas of soft landscaping. Page 9 of the report reviews the additional information by RGS, Ref: C727/20/E/GM, dated 13th August 2020, which includes in Section 7.0, information on the gas measures required (a cast in-situ, reinforced suspended concrete floor slab with a fully sealed proprietary gas resistant membrane). Details of nature of verification to be provided are listed.

Having reviewed the information, we make the following recommendation.

The Remediation Implementation Plan by Eastwood Consulting Engineers, ref: 45229, issue 2, dated 24th of October 2025, has provided a remediation strategy for the site, which addresses the risk involved within the RGS Phase 2 geoenvironmental Report and the additional information by RGS, Ref: C727/20/E/GM, dated 13th August 2020, we therefore have no objection to the discharge of condition 16.

We remind the applicant that any unexpected contamination encountered during groundworks, must be reported to the LPA, as per the requirements of Condition 17'.

Officers concur with the above assessment, and it is therefore recommended that Condition 16 be approved. it may be discharged in full. However, given the outcome of condition 16, the requirements of condition 17 and 18 hereby activate, which is recommended to be referenced on the decision notice.

Recommendation: Approve.

Report Dated: 12/11/2025

Recommended Decision Notice Text

Condition 15: Phase 2 Report

Pursuant to Condition 15, you have submitted:

- Phase 2 Geo-Environmental Report, authored by RGS, ref no. C727/20/E/1120, dated June 2020, received 23/07/2025.
- Letter by Eastwoods Consulting, titled Hanson Logistics, 7 Ashgrove Rod, Deighton, Huddersfield (2025/92069) Discharge of conditions 15

and 16, ref: 45229-XX-XX-CO-C-0004SJE/AJK, dated 24/10/2025, received 28/10/2025.

The information submitted pursuant to Condition 15 is acceptable therefore Condition 15 is hereby discharged.

Condition 16: Remediation Strategy

Pursuant to Condition 16, you have submitted:

- Remediation Implementation Plan, authored by Eastwood, ref no. 45229-ECE-XX-XX-RP-C-0003, Issue 2, dated 24/10/2025, received 28/10/2025.
- Additional information by RGS, Ref: C727/20/E/GM, dated 13th August 2020, received 28/10/2025 (found within *letter by Eastwoods Consulting, titled Hanson Logistics, 7 Ashgrove Rod, Deighton, Huddersfield (2025/92069) Discharge of conditions 15 and 16, ref: 45229-XX-XX-CO-C-0004SJE/AJK*).

The information submitted pursuant to Condition 16 is acceptable therefore Condition 16 is hereby discharged.

However, the outcome of condition 16 hereby activities the requirements of conditions 17 and 18, which are repeated below for convenience:

17. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to Condition 16. 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 that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use'.*

18. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report 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 Validation Report in respect of those

remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: *To ensure that the site is satisfactorily remediated.*