

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:	2026/44/90680/W
Site Address:	B M Packaging, Crosland Road Industrial Estate, Crosland Factory Lane, Netherton, Holmfirth, HD4 7DQ
Description:	Discharge of details reserved by condition 5 (Preliminary Risk Assessment) on previous permission 2023/93004 for demolition of existing office building and erection of new Class E (light industrial) building
Recommending Officer:	Joanna Rednall

DECISION – Discharge of Condition 5 - Approved

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 06-May-2026

Officer Report

Reference No. 2026/90680

Site Address: B M Packaging, Crosland Road Industrial Estate, Crosland Factory Lane, Netherton, Holmfirth, HD4 7DQ

Proposal: Discharge of details reserved by condition 5 (Preliminary Risk Assessment) on previous permission 2023/93004 for demolition of existing office building and erection of new Class E (light industrial) building.

Assessment

Condition 5 – Preliminary Risk Assessment (Phase I Desk Study Report)

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.

Reason: *To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.*

Assessment of Condition 5

The applicant has submitted a Phase I Desk Study by Ashton Bennett dated March 2025, ref: BMP 3609 in support of condition 6.

A site walkover was conducted on the March 11th of 2025; no materials were observed on site that cause environmental concern. The site is described as currently occupied by the factory of BM Packaging Ltd.

The historical land use of the site has been presented and reviewed since 1854, with the site occupied at that time by Crossland Mills, with industrial uses and a gasometer recorded at site. Superficial deposits are unlikely to be present on this site. Bedrock is likely to comprise of sandstone of the Upper Kinderscout Grit and the Marsden Formation. It is not anticipated that significant thicknesses of made ground will be present to site.

Potential contamination at site is potentially identified as, chemicals used in cleaning and dyeing wool, and heavy metals and hydrocarbons from gasometer waste. Historic coal extraction from the upper Meltham Coal seam may give rise to a potential gas risk at site. There are no landfill sites within 250m of the site and therefore toxic gases from landfill are unlikely to detrimentally affect the site.

A mining report (presented in Appendix B), informs the site is not recorded as being undermined for coal. However, the Meltham Coal outcrops across the site and underlies the location of the unit to be redeveloped. It is possible

therefore that mining may have taken place before 1872 before which records of mine abandonment were not required. Coal pits are recorded to the south of the site it is therefore possible that the site may have been mined prior to records. The site does not within or within 20m of a mine entry.

A conceptual site model is presented which attributes a moderate risk associated with potential contamination and mine gas. A ground investigation is proposed to further assess the risks at site, including but not limited to sampling of made ground, boreholes and gas monitoring.

On the basis of the professional judgement of the report author and the evidence and interpretations presented in the Phase 1 Desk Study Report by Ashton Bennett dated March 2025, ref: BMP 3609, Environmental Health have no objection to the discharge of condition 5.

Taking account of the response of the Environmental Health Team it is considered that the submitted information is sufficient for the discharge of condition no.5 and it is therefore recommended this condition is discharged.

Decision Notice Text

Condition 5 - Preliminary Risk Assessment (Phase I Desk Study Report)

The following information has been submitted:

- Phase I Desk Study by Ashton Bennett dated March 2025, ref: BMP 3609

The submitted details are considered acceptable and on the basis of the submitted information Condition 5 is discharged.