

Enquiries to: Glenn Wakefield

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## Planning

Investment and Regeneration Service  
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Paul Kemp  
Service Director  
Economy, Regeneration and Culture

Date: 01-Jun-2018

Our Ref: 2018/91661

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990, Section 62**  
**TOWN AND COUNTRY PLANNING (APPLICATIONS) REGULATIONS 1988, Regulation 4**  
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 Article 34**

I refer to your planning application received on 22-May-2018 for Outline permission for residential development and facilitating engineering operations and full planning permission for access and spine road at Land at Walkey Terrace and Brunswick Street, Heckmondwike, application number 2018/91661.

Section 62 and Regulation 4 enables a Local Planning Authority to require that an application for planning permission includes such further information, particulars or evidence in support of anything in or relating to the application as they think necessary to determine the application.

This site is within an area where historic coal extraction has taken place and shafts and adits are known to exist in close proximity. There is also the possibility that unknown workings are present which could be disturbed by excavation works associated with the extensive cut and fill proposals. As this proposal would involve the removal of significant sections of the eastern embankment to provide sufficient fill material, there is therefore the potential for this to result in instability affecting neighbouring land. You will be aware that para 121 of the National Planning Policy Framework requires that local planning authorities should, when making planning decisions, ensure that sites are suitable for proposed uses taking into account, amongst other things, land stability.

The Council therefore considers that the following additional information is necessary to determine your application and hereby asks that it be provided:

- A geotechnical stability assessment which assesses the potential for excavations associated with this development to cause instability in adjacent land and appropriate remediation strategies.

This request for further information is a formal direction pursuant to Section 62 and Regulation 4.

The statutory period for determination of the application runs from the date the application was validated. You are requested to provide the additional information set out above within 21 days of receipt of this letter.

Alternatively you may agree with the Local Planning Authority an extension of time to provide the additional information. If you agree to such an extension, please complete and return the attached consent form within 7 days of receipt of this letter. The consequences of this will mean that the period of determination will run again from the date that the additional information is received.

If either the additional information or the completed consent form has not been received within 21 days of the date of this letter, or an alternative period agreed by the LPA, then the application will be determined on the basis of the information available which could therefore result in a refusal due to inadequate information.

A third alternative is that you have the option of withdrawing the application pending the preparation of the further information requested.

Yours faithfully

Glenn Wakefield  
(Senior Planner)

**Consent to Extend Time**

**Case Officer:** Glenn Wakefield

**Application Number:** 2018/62/91661/E

**At:** Land at Walkey Terrace and Brunswick Street, Heckmondwike

**For:** Outline permission for residential development and facilitating engineering operations and full planning permission for access and spine road

I hereby agree to an extended period of time to give the applicant notice of their decision (or determination or notice that the application has been referred to the Secretary of State).

The extension of time is to allow opportunity to provide the additional information requested in the letter from the Local Planning Authority dated 01-Jun-2018. I understand that the consequences of this mean that the period of determination will run again from the date that the additional information is received.

**Print Name:**

**Signed:**

**Applicant/Agent** (delete as appropriate)

**Date:**