



Kirklees Council
Planning and Development Service
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Date: 28-Nov-2024
Our Ref: 2024/91917

Dear Sir

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

Discharge of details reserved by condition 17 (Validation Report) of previous permission 2023/91472 for variation of conditions 9, 11, 12, 22, 23, 25, 27, 29, 30, 33, 34 and 38 of previous outline permission 2020/90436 for the demolition of one dwelling and erection of residential development and associated works with details for access

**adj, 115, Westfield Lane, Wyke, BD12 9LY
Application Number: 2024/91917**

I write with reference to your application to discharge the conditions for the above development as submitted on 08-Jul-2024.

Condition 17 (Validation Report)

Document Submitted

- Phase 4: Validation Report. Plots 1 to 6, Westfield Lane, Wyke by Solmek Ltd ref S221109 dated November 2024.

Assessment

You have submitted the above document. KC Environmental Health have acknowledged the latest revisions to this report, including the additional lead data and waste transfer notes. The report, however, fails to provide responses to all the matters previously raised by KC Environmental Health, and furthermore, the sample IDs suggest that the additional samples relate to plots outside of Plots 1 to 6, which appear to fall outside the remit of this report. Accordingly, further clarification on the location and methodology of the additional



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sampling would also be required. For the reasons set out above, condition 17 cannot be discharged at this time for Plots 1 to 6.

Advisory Note Notwithstanding the decision above, it is noted the submitted report relates only to the validation of plots 1 to 6, and further validation of the remaining plots will also be necessary to fully satisfy the condition.

Advisory Note It is noted matters related to coal mining legacy are covered by separate planning conditions (33, 34 and 35) on decision notice ref 2023/91472. These conditions require the submission of a report from intrusive site investigations to establish the exact situation in respect of coal mining legacy features, and where risk to surface stability is identified, the submission of a remediation scheme and subsequent validation report.

Yours faithfully

Mathias Franklin
Head of Planning and Development