

**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:	<b>2025/44/91948/E</b>
Site Address:	Land Opposite, 33, Sackville Street, Ravensthorpe, Dewsbury, WF13 3BX
Description:	Discharge of details reserved by condition 7 (Validation Report) on previous premission 2020/92681 for erection of 7 dwellings
Recommending Officer:	Nicole Helliwell

**DECISION – REFUSE DISCHARGE OF CONDITION 7**

**I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.**

Sarah Longbottom

***AUTHORISED OFFICER***

**Date: 11-Sep-2025**

## **Officer Report**

**Reference No.** 2025/44/91948/E

**Site Address:** Land Opposite, 33, Sackville Street, Ravensthorpe, Dewsbury, WF13 3BX

**Proposal:** Discharge of details reserved by condition 7 (Validation Report) on previous permission 2020/92681 for erection of 7 dwellings

## **Assessment**

### **Condition 7 – Validation Report**

*7. 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 for the whole site have been completed 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.*

**Reason:** *To ensure the safe occupation of the site with regards to the environment and coal mining features in accordance with Policy LP53 of the Kirklees Local Plan and paragraphs 178 and 179 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that appropriate investigations are carried out before development commences on site and that, should any mitigation measures be required, they are carried out at the appropriate stage.*

### **Assessment of Condition 7**

A Validation Report by Langdale-Smith & Co Limited (dated 10<sup>th</sup> July 2025, reference no. 69 034) has been received in support of the application to discharge Condition 7. KC Environmental Health have reviewed the submitted report and do not consider that it provides sufficient evidence to satisfy the requirements of the condition. Officers reviewed an earlier version of this report as part of a separate application. The report has been revised to add relevant references to appended information but it remains that identified issues include:

1. The report identifies deviations during laboratory analysis; however, these are not explained within the commentary. Further information is required to determine whether these deviations may have affected the results.
1. The quantity of imported material is unclear and has not been documented. The report does not provide sufficient justification for the number of samples taken.
2. The specific locations where samples were collected and analysed are not confirmed within the report.

3. Photographic documentation is poorly presented. It is unclear whether the images were taken at the development site and, if so, which plots they relate to.
4. There is no substantiating evidence of made ground removal, other than a general statement that spoil was taken off site.

For these reasons, officers do not accept the report and object to the discharge of Condition 7.

**Decision Notice Text**

**Condition 7 – Validation Report**

The following information has been submitted:

- Validation Report By Langdale-Smith & Co Limited (reference no. 69 034, dated 10<sup>th</sup> July 2025)

KC Environmental Health do not accept the validation report and object to the discharge of condition 7. Therefore, Condition 7 must remain until further notice.