

**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:	2025/44/93492/E
Site Address:	former LIDL, Station Road, Mirfield, WF14 8LL
Description:	Discharge of details reserved by condition 10 (Validation Report) on previous permission 2020/92821 for variation condition 2 (Plans and Specifications) on previous permission 2017/92997 for erection of 70 (over 55) retirement apartments comprising of four blocks, provision of a community building, electricity substation and laying out of internal roads, parking areas and greenspace and associated infrastructure
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: 21-Jan-2026

Application: 2025/93492

Application Site: Former LIDL, Station Road, Mirfield, WF14 8LL.

Proposal: Discharge of details reserved by condition 10 (Validation Report) on previous permission 2020/92821 for variation condition 2 (Plans and Specifications) on previous permission 2017/92997 for erection of 70 (over 55) retirement apartments comprising of four blocks, provision of a community building, electricity substation and laying out of internal roads, parking areas and greenspace and associated infrastructure.

Assessment:

Condition 10: Validation Report

10. 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. Unless otherwise agreed in writing with 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 that the site can be made, safe and stable for the proposed development and remove unacceptable risks to human health in accordance with 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.*

In support of Condition 10, in so far as it relates to Blocks A & B, the following documents have been submitted:

- Validation Report (Phase 1), Ref: 21162_VR001, authored by TWH Consultancy, dated 20/12/2021 (revised February 2022), received 18/12/2025.
- Validation Report (Phase 2), Ref: 21162_VR002, authored by TWH Consultancy, dated 20/11/2025, received 18/12/2025.
- Gas Membrane Installation Validation Report, authored by MEC Environmental LTD, received 18/12/2025.
- Validation Report Checklist to Yorkshire and Lincolnshire Pollution Advisory Group from Technical guidance for Developers, Landowners, Consultants Version 11.2 June 2020, received 18/12/2025.
- Top Soil Analysis – BS3882:2015, authored by Tim O'Hare Associates, dated 21/02/2023, received 18/12/2025.
- Gas Membrane Specification, received 18/12/2025.

The above condition has been reviewed by KC Environmental Health (ENVH) who have noted in their comments received 16/01/2026:

The documents relate to Block A&B(internal ground floor communal areas), and the area of soft landscaping around Block B, the authors have confirmed they have conducted appropriate validation checks. We note that further gas monitoring was undertaken, however gas protection measures were required by the approved remediation strategy and have been signed off by the reports authors, within the above documents. The report authors conclude that the remediation required within the Remediation Strategy Statement by Haigh Huddleston & Associates dated June 2022 (ref: E14/6788/R001b) and TWH Consultancy, dated 22nd November 2022 (no reference), have been installed according to good practice guidance.

Recommendations

Condition 10 – Validation Report

On the basis of the professional judgement of the report authors and the evidence and interpretations presented in the documents listed above, Environmental Health have no objection to the discharge of condition.

Officers concur with the above assessment and recommend that the details submitted in so far as it relates to Blocks A & B of Condition 10 are approved. However, it is noted that further applications will be required to be submitted to discharge outstanding components/phases of the development in relation to Condition 10.

Recommendation: Approve.

Report Dated: 20/01/2026.

Decision Notice Text

Condition: 10 (Validation Report)

Pursuant to condition 10, you have submitted:

- Validation Report (Phase 1), Ref: 21162_VR001, authored by TWH Consultancy, dated 20/12/2021 (revised February 2022), received 18/12/2025.
- Validation Report (Phase 2), Ref: 21162_VR002, authored by TWH Consultancy, dated 20/11/2025, received 18/12/2025.
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- Top Soil Analysis – BS3882:2015, authored by Tim O’Hare Associates, dated 21/02/2023, received 18/12/2025.
- Gas Membrane Specification, received 18/12/2025.

The submitted information is considered to be sufficient for the initial requirements of condition 10 in relation to Blocks A & B of the development and are hereby approved, in so far as it relates to Blocks A & B only.

However, it is noted that further applications will be required to be submitted to discharge outstanding components/phases of the development (including Blocks C & D) pursuant to Condition 10.