

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended) – SECTION 70**

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS**

**Reference No:** 2020/60/92350/E

**Site Address:** Land south of, Heybeck Lane, Chidswell, Shaw Cross, Dewsbury

**Description:** Outline application for residential development (Use Class C3) of up to 181 dwellings, engineering and site works, demolition of existing property, landscaping, drainage and other associated infrastructure

**Recommending Officer:** Victor Grayson

**DECISION – Outline Planning Application – Refuse**

**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.**

Nicholas Hirst

***AUTHORISED OFFICER***

**Date: 27-Jan-2026**

**Decision Authorisation:** Committee Decision

**Committee:** Strategic Planning Committee

**Date of Committee:** 04/12/2025 and 15/01/2026

**Application Number:** 2020/92350

**Officer Recommendation:** Approve subject to conditions and a Section 106 agreement.

**Committee Decision:** Refuse planning permission.

**Reason for Refusal:**

1) The proposed development, due to its size and proximity to Dum Wood, and due to the increased residential population that the development would introduce nearby and the insufficient depth of the proposed buffer, together would result in significant intensification in the use of Dum Wood, and unacceptable harm to and deterioration of this ancient woodland and Local Wildlife Site, contrary to policies LP30 and LP33 of the Kirklees Local Plan, and chapter 15 of the National Planning Policy Framework.

**Plans and specifications schedule:**

<b>Plan/document type</b>	<b>Reference</b>	<b>Version</b>	<b>Date received</b>
Site Location Plan	00-501	Rev B	
Parameter Plan	00-211	Rev C	
Heybeck Lane, Illustrative Site Layout Plan	00-101	Rev D	23/07/2020
Visualisation 1			05/12/2022
Demolition Plan of Existing Properties – Heybeck Lane	00-702		23/07/2020
Proposed Site Access 1 – 39 Heybeck Lane	A13398-T-002	Rev E	10/10/2022
Junction Improvement Proposal (Junction 3)	A13398-T-048	Rev B	27/10/2022
Extents of Conditions Survey	A13398-T-063	Rev B	30/04/2024

Planning Statement	Deloitte, June 2020		23/07/2020
Design and Access Statement	Enjoy Design, February 2020		14/08/2020
Masterplan Framework	Enjoy Design, February 2020		14/08/2020
Landscape Appraisal	Re-form, RFM-XX-00-L-RP-0002, November 2019		23/07/2020
Sustainability Statement	Delta Simons, 18-0864.05, 28/02/2020	Issue 3	23/07/2020
Transport Assessment	Pell Frischmann, A13398/VAA, 15/05/2020	Version F2	23/07/2020
Framework Travel Plan	Pell Frischmann, A13398/VAA, 11/06/2020	Version F3	23/07/2020
Heritage Assessment	Cotswold Archaeology, 661161 18467, October 2018		14/08/2020
Site plan (trial trenching plan)	Project No. X655, Fig. 2		28/09/2022
Geophysical Survey Report	Magnitude Surveys, MSSE562, 09/12/2019		14/08/2022
Phase 1 Geoenvironmental Desk Study Report	Patrick Parsons, H18017, 11/12/2019	Rev 3	14/08/2020
Coal Mining Risk Assessment	Patrick Parsons, H18119A CMRA, 11/12/2019	Rev 2	14/08/2020
Health Impact Assessment	Deloitte, February 2020		23/07/2020
Air Quality Assessment	Delta Simons, 18-0864.02, 17/01/2020	Issue 3	19/08/2020
Noise Impact Assessment	Delta Simon, 18-0864.03, December 2019	Issue 1	23/07/2020
Flood Risk Assessment and Drainage Strategy	Patrick Parsons, H18119, 11/12/2019	Rev 1	14/08/2020
HSI Assessment & Report	Brooks Ecological, R-3280-01, 16/03/2018		23/07/2020
Ecological Summary Note	Brooks Ecological, P-4536-01-A, 13/12/2019		23/07/2020
Barn Owl Scoping Assessment & Report	Brooks Ecological, R-3280-02, 06/04/2018		23/07/2020

Ornithological Summary (Breeding Birds)	Brooks Ecological, R-3280-03, 22/10/2018		23/07/2020
Badger Assessment & Report	Brooks Ecological, R-3280-04, 16/04/2018		23/07/2020
Bat Roost Suitability Assessment & Report	Brooks Ecological, R-3280-05, 02/06/2018		23/07/2020
Bat Activity Survey	Brooks Ecological, R-3280-06, 01/11/2018		14/08/2020
Bat Roost Suitability Assessment	Brooks Ecological, R-3280-10, 21/08/2018		23/07/2020
Bat Emergence Survey	Brooks Ecological, R-3280-11, August 2018		23/07/2020
Addendum to Reports ER-3280-10 & ER-3280-11	Brooks Ecological, EL-3280-01A, 23/08/2022		01/11/2022
Water Vole Report	Brooks Ecological, R-3280-07.1, 06/09/2018		23/07/2020
Reptile Survey	Brooks Ecological, R-3280-08, 03/10/2018		23/07/2020
Hedgerow Assessment & Report	Brooks Ecological, R-3280-09, 02/07/2018		23/07/2020
Ecological Impact Assessment	Brooks Ecological, R-3280-12-A, 13/12/2019		23/07/2022
High-Level Biodiversity Net Gain Assessment	Brooks Ecological, ER-6441-02, 01/11/2022		01/11/2022
Biodiversity Metric 3.1 Calculation Tool	Brooks Ecological, 05/10/2022		01/11/2022
Arboricultural Impact Assessment (including Tree Survey)	Brooks Ecological, AR-3280-02 AIA, 06/12/2019		23/07/2020
Statement of Consultation	Deloitte, February 2020		14/08/2020
Response to comments raised by Chidswell Action Group	Brooks Ecological, L-6441-01, 11/10/2022		01/11/2022
Deloitte letter 22/09/2021			23/09/2021

Church of England Church Commissioners letter 30/11/2022			06/12/2022
Deloitte letter 06/11/2025			06/11/2025
Technical response letter (undated)	Lucion		17/11/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

**Report Dated:** 23/01/2026