

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/Z4718/W/25/3370566

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

Mr Sid Dhesi

Company/Group Name

Swift Property & Management

Address

Preferred contact method

Email

Post



B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes

No



Name

Mr Andrew Windress

Company/Group Name

ID Planning

Address

Phone number

Email

Preferred contact method

Email

Post



C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

Kirklees Metropolitan Council

LPA reference number

2022/62/91139/E

Date of the application	<input type="text" value="22/10/2023"/>
Did the LPA validate and register your application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Did the LPA issue a decision?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Date of LPA's decision	<input type="text" value="06/02/2025"/>

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does the appeal relate to an existing property?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Address	<input type="text" value="Land South of Oddfellows Street
Cleckheaton"/>
Is the appeal site within a Green Belt?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please enter details of the proposed development. This should normally be taken from the planning application form.	
<input type="text" value="Erection of 33 dwellings along with all associated infrastructure, parking, open space and landscaping."/>	
Area (in hectares) of the whole appeal site [e.g. 1234.56]	<input type="text" value="1.09 hectare(s)"/>
Does the proposal include demolition of non-listed buildings within a conservation area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development.	<input checked="" type="checkbox"/>
2. Refused permission to vary or remove a condition(s).	<input type="checkbox"/>
3. Refused prior approval of permitted development rights.	<input type="checkbox"/>
4. Granted planning permission for the development subject to conditions to which you object.	<input type="checkbox"/>
5. Refused approval of the matters reserved under an outline planning permission.	<input type="checkbox"/>
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.	<input type="checkbox"/>
7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).	<input type="checkbox"/>
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.	<input type="checkbox"/>
9. Failed to give notice of its decision within the appropriate period because of a dispute over	<input type="checkbox"/>

provision of local list documentation.

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

2. Hearing

You must give detailed reasons below or in a separate document why you think a hearing is necessary. The reasons are set out in

the box below

The only reason for refusal relates to the likelihood of the unadopted part of Oddfellows St being brought up to adoptable standards. The Appellant has put a proposal to the Council to address this using provisions set out in the Highways Act 1980 (reflected in the draft planning obligation submitted with this appeal). The Council is still considering its position on this and therefore it may require further oral clarification and discussion with the Inspector and the Council which would be better addressed through a hearing. However if the Council subsequently confirms its agreement to the Appellant's proposal in response to the appeal (and the planning obligation is agreed) then it is anticipated that this can be reflected in an updated Statement of Common Ground and then appeal can then revert to the written representations procedure.

(a) Is there any further information relevant to the hearing which you need to tell us about?

NA

3. Inquiry

H. FULL STATEMENT OF CASE

see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your full statement of case? Yes No

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes No

see 'Appeal Documents' section

(b) Have you made a costs application with this appeal? Yes No

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

Owner's Name: John Charles Lund
Address at which notice was served: Low Hall, Kettlewell, BD23 5RB
Date the notice was served: 01/08/2025
Owner's Name: Owner

Address at which notice was served:	17 Oddfellows Street
Date the notice was served:	05/08/2025
Owner's Name:	Owner
Address at which notice was served:	19 Oddfellows Street, Scholes, BD19 6NX
Date the notice was served:	05/08/2025
Owner's Name:	Owner
Address at which notice was served:	21 Oddfellows Street, Scholes, BD19 6NX
Date the notice was served:	05/08/2025
Owner's Name:	Owner
Address at which notice was served:	23 Oddfellows Street, Scholes, BD19 6NX
Date the notice was served:	05/08/2025
Owner's Name:	Owner
Address at which notice was served:	25 Oddfellows Street, Scholes, BD19 6NX
Date the notice was served:	05/08/2025
Owner's Name:	Owner
Address at which notice was served:	27 Oddfellows Street, Scholes, BD19 6NX
Date the notice was served:	05/08/2025
Owner's Name:	Owner
Address at which notice was served:	29 Oddfellows Street, Scholes, BD19 6NX
Date the notice was served:	05/08/2025
Owner's Name:	Owner
Address at which notice was served:	43 Oddfellows Street, Scholes, BD19 6NX
Date the notice was served:	05/08/2025
Owner's Name:	Owner
Address at which notice was served:	45 Oddfellows Street, Scholes, BD19 6NX
Date the notice was served:	05/08/2025
Owner's Name:	Owner
Address at which notice was served:	47 Oddfellows Street, Scholes, BD19 6NX
Date the notice was served:	05/08/2025
Owner's Name:	Owner
Address at which notice was served:	1 Salisbury Road, Scholes, BD19 6EU
Date the notice was served:	05/08/2025
Owner's Name:	Owner
Address at which notice was served:	3 Salisbury Close, Scholes, BD19 6EU
Date the notice was served:	05/08/2025

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

- (a) None of the land to which the appeal relates is, or is part of, an agricultural holding.
- (b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.
- (b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.

J. SUPPORTING DOCUMENTS

- 01. A copy of the original application form sent to the LPA.
- 02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).
- 03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the

application.

04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.

05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.

06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.

06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.

07. A copy of the design and access statement sent to the LPA (if required).

08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.

09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.

09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.

10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements.

11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:

(a) the relevant outline application;

(b) all plans sent at outline application stage;

(c) the original outline planning permission.

12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached.

13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).

14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application.

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes No

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Mr Andrew Windress

Date

05/08/2025 14:57:17

Name

Mr Andrew Windress

On behalf of

Mr Sid Dhesi

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	Appendix A Walton&Co. 5 June 2025.pdf
File name:	Appeal Statement.pdf
File name:	Statement of Common Ground.docx
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A planning obligation (a section 106 agreement or a unilateral undertaking).
File name:	Oddfellows Street Scholes draft UU v2 including KMC model affordable provisions 30 07 25.docx
File name:	Plan A JL Ownership.pdf
File name:	Plan B Oddfellows St.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	App Form.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	Decision Notice.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	Loc Plan.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	Results of Survey.pdf
File name:	Loc Plan.pdf
File name:	RSA.pdf
File name:	CEMP.pdf
File name:	502 H.pdf
File name:	444-18.pdf
File name:	DAS.pdf
File name:	003 B.pdf
File name:	Ecological Appraisal.pdf
File name:	444-17.pdf
File name:	Attenuation System Design.pdf

File name: Mining Report.pdf
File name: Trial Pit.pdf
File name: Secondary Analysis.pdf
File name: 444-12.pdf
File name: 444-15.pdf
File name: App Form.pdf
File name: 001 B.pdf
File name: FRA Appendices.pdf
File name: 2022-91139_ Proposed Site Block Layout_1063778.PDF.pdf
File name: Avista.pdf
File name: Drainage.pdf
File name: 444-13.pdf
File name: Statement on behalf of the developer.pdf
File name: 444-19.pdf
File name: LD 02.pdf
File name: Landscape.pdf
File name: SI Checklist.pdf
File name: FRA.pdf
File name: Biodiversity Metric.pdf
File name: 444-10.pdf
File name: Cert of Analysis.pdf
File name: RS.pdf
File name: Soil Samples.pdf
File name: 444-11.pdf
File name: 444-16.pdf
File name: 444-14.pdf
File name: BNG.pdf
File name: GI.pdf

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

File name: Plans and specifications schedule.docx

Completed by MR ANDREW WINDRESS

Date 05/08/2025 14:57:17