



# Planning Inspectorate

## **Appeal Ref: APP/Z4718/W/25/3375000**

'Residential Development (Up to 50 Dwellings) with Associated Access, Parking, Public Open Space, Landscaping and Infrastructure'

## **Land North East of Shepley Road, Stocksmoor, Huddersfield HD4 6XW**

**Case Management Conference - 10.00 on Tuesday 13 January 2026**

### **Summary Note**

1. The on-line case management conference (CMC) was led by Andrew Parkin, the appointed Inspector. An agenda and a pre-CMC note had been circulated to the Council, the appellant and to Stocksmoor Vision (SV), the Rule 6 Party.
2. The purpose of the conference was to discuss the ongoing management of the appeal and the presentation of related evidence so that the forthcoming Inquiry could be conducted in an efficient and effective manner. There was no discussion of the merits of the respective cases during the conference and no evidence was heard.

### **Confirmation of Advocates**

3. Amongst the attendees, Richard Sagar of Walker Morris was present for the appellant, Martin Carter of Kings Chambers was present for the Council and David Rees was present for SV.

### **Main Issues**

4. In the Pre-CMC Note the Inspector identified the likely main issues for consideration at the Inquiry, as the effect of the proposal on:
  - Highway function and safety; and,
  - Nearby Ancient Woodland.
5. The appellant queried whether 'Highway function' was a main issue as this was not a concern of the Council. After considering the comments of the appellant at the CMC, and the submitted evidence, the Inspector wishes to understand the effects of the proposal on the capacity and operation of Shepley Road / Stone Wood Lane at the Inquiry.

6. The appellant also raised a procedural concern regarding the layout of the proposed development, and referenced paragraphs 6.19 and 6.20 of the draft Statement of Common Ground (SOCG) between the Council and the appellant. The Council advised that it had no concerns with the appellant's intended approach to use conditions to address 'minor' issues with the internal layout.
7. Following consideration of these comments, the Inspector has no objection in terms of procedure, provided any such condition could be shown to meet the six tests for planning conditions at paragraph 57 of the current National Planning Policy Framework (the Framework).
8. The Inspector had issued the Pre-CMC note prior to the submission of the Statement of Case from SV. This document identifies further matters of concern to SV:
  - Flood Risk, including surface water, groundwater and sewer flooding, and including the need for the sequential test; and,
  - Whether Stocksmoor is a sustainable location for development given the amenities in the village.
9. Whether any of these matters are dealt with as main issues in the eventual Decision will depend on the evidence as it emerges in due course. However, as a reminder, the evidence of the appellant will need to address all matters raised by interested parties and the Inspector will have questions on flood risk and the sustainability of the location.
10. The Inspector also noted the parties would need to cover housing land supply and delivery, including the Council's interim position statement. Furthermore, the Inspector asked about the status of 'Safeguarded Land' in the development plan, including how it was identified, what constraints were considered, and for what uses it is safeguarded.
11. There was a discussion regarding how the evidence should be heard. Following consideration of the representations made, the Highways Function and Safety evidence will be formally presented and cross-examined, with re-examination if needed.
12. However, given no technical witnesses were intended to be called by any of the main parties for the effects of the proposal on Ancient Woodland; for Flood Risk; or for the Sustainability of the Location, this evidence can be heard through round table discussions led by the Inspector.
13. Furthermore, given the general agreement on the matters engaged by planning policy and to be considered as part of the planning balance,

these matters can also be addressed through round table discussions led by the Inspector.

### **Conditions and s106 planning obligation**

14. The Council and the appellant were to continue work on an agreed list of conditions to be attached to any grant of planning permission, were the appeal to be allowed. The parties were reminded to check the conditions for accuracy and with regard to the six tests set out at paragraph 57 of the Framework.
15. An initial draft of the s106 planning obligation had been provided by the appellant but was not able to be opened by the Inspector. It was agreed the appellant would send an openable version of this document to the Inspector, and instead of the original version, which has been superseded, the latest version would be provided.
16. This is work in progress and a final draft would be submitted shortly before the Inquiry opens. The final draft obligation must be accompanied by a CIL Compliance Statement prepared by the Council. The statement must contain a fully detailed justification for each obligation sought, setting out how it complies with the CIL Regulations 2010, including as per paragraph 58 of the Framework.
17. The Inspector noted that whilst a distinct document, the obligation should not include any factual inconsistencies or inaccuracies with the other evidence. Furthermore, with reference to the *Greenfields* Court of Appeal decision<sup>1</sup>, the original and subsequent versions of the draft obligation should be included as Core Documents and displayed on the Council's website.

### **Core Documents**

18. A list of Core Documents should be agreed between parties and updated, as necessary. Both the list and the Core Documents themselves (and the CMC Documents), should be held on a website hosted by the Council.
19. Parties should work together to ensure that the Core Documents are structured in an accessible format, for members of the public. It would be helpful for this to be done well in advance of the deadline for Proofs, so that they can be properly cross-referenced.
20. The Core Documents should comprise only those documents to which you will be referring. Any Appeal Decisions and/or legal judgements on which any of you intend to rely will each need to be prefaced with a note explaining the relevance of the document to the issues arising in

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<sup>1</sup> Greenfields (IOW) Limited v Isle of Wight Council [2025] EWCA Civ 488

the Inquiry case, together with the propositions on which you are seeking to rely, with the relevant paragraphs flagged up.

21. Any documents submitted once the Inquiry has opened would be recorded as Inquiry Documents on a separate list, overseen by the Inspector. Any new documents produced at the Inquiry would need to be sent electronically to the Case Officer and cross-copied to other parties. It would be helpful if these could also be appropriately labelled and displayed on the Council's website, similar to the Core Documents.

### **Inquiry Venue**

22. Due to the availability of venues, the Council is intending to use Dewsbury Town Hall for the first four days of the Inquiry. This venue accords with the guidance for Inquiry venues prepared by the Planning Inspectorate, has been used for Inquiries in the past and is an accessible venue.
23. For the fifth and reserve sixth day of the Inquiry, Dewsbury Town Hall is not available, and so an alternative venue has been identified, The Media Centre in Huddersfield. Whilst there has been correspondence from the Council regarding this venue it does not fully meet the accessibility requirements set out in the guidance and is a much smaller venue than Dewsbury.
24. The Inspector is content that an acceptable room layout can be provided at the Media Centre, but remains concerned with the size of the venue should a large number of interested parties attend, or if people who require Hearing assistance to follow / participate in the Inquiry attend.
25. Whilst these circumstances may not arise, the Council should identify contingency plans. These may include identifying an alternative venue, potentially with the assistance of the appellant, or for streaming the Inquiry. This should be done as soon as possible, and prior to notifications of the venues.
26. If interested parties who wish to attend and participate are not able to do so due to the limitations of the venue, this may lead to an adjournment of the Inquiry.
27. The Council also confirmed that points of contact would be made available to assist interested parties and that these people and their contact details would be publicised in due course.

### **Inquiry running order/programme**

28. In general, the Inspector will aim to start each day at **10.00** and finish around **16.45**, given the **17.00** closing time of the venues.
29. In terms of running order, following the Inspector's opening comments on the first day of the Inquiry, there will be opening statements from the main parties, which should be no longer than 5-10 minutes, appellant first, followed by the Council and then SV.
30. SV is a representative organisation for the residents, so it is not anticipated that individuals will want to speak. However, if anyone does, the Inspector will hear from them, provided there are not too many and they wish to speak to matters not already covered.
31. Due to the limited availability of the appellant's Ancient Woodland witness, amongst other things, the indicative programme for the Inquiry is as follows:
32. **Tuesday 24 February**  
Openings  
Round table discussion on the effects of the proposal on nearby Ancient Woodland, including during and after construction, and including from increased recreational use and from surface water drainage and sewer flooding.
33. **Wednesday 25 and Thursday 26 February**  
Formal presentation of evidence on Highway Function and Safety, with cross-examination and re-examination; the order will be the Council, followed by SV and then the appellant. Any remaining time on Thursday would be used for a round table discussion on flood risk and sustainability of the location.
34. **Tuesday 3 March** will be used to hear / conclude the remaining evidence on Ancient Woodland, Flood risk and the Sustainability of the location, before the Planning Policy and Balance round table; and, Conditions and the Planning Obligation.
35. The Council has indicated its intention to provide an agreed site visit itinerary and the Inspector welcomes this. The intention is to have an accompanied site visit at 09.00 on **Wednesday 4 March**; the Inspector will endeavour to arrive before this time in order to observe morning peak traffic, with the agreement of the main parties. An unaccompanied site visit to observe the evening peak traffic is also intended, again subject to the agreement of the parties. Closings and any applications for costs would take place in the afternoon.

36. For closing submissions, the Council will go first, followed by SV and the appellant last. The Inspector would like written copies of the Closings, which should (preferably) be no longer than 30 minutes in duration and should simply set out the respective cases as they stand at the end of the Inquiry; they should be fully cross-referenced.
37. Closing in writing or online remain options should time or venue suitability be a factor, albeit not preferred options. Following closings, we will hear any applications for costs.
38. The advocates should work collaboratively on their time estimates for each stage of their respective cases formal presentation and round table discussions. Other than in exceptional circumstances, you are expected to take no longer than the timings indicated, which will require the cooperation of both advocates and witnesses.
39. **Thursday 5 March** is identified as a reserve day, should the programme overrun or be delayed.

#### **Timetable for submission of documents**

40. The Start letter sets out the details for when information should be submitted and all Proofs to be submitted no later than **27 January**. Details of the preferred format and content of proofs and other material were Annexed to the pre-conference note.
41. An agreed final draft of the proposed planning obligation should be submitted no later than **4 February** to be accompanied by the CIL Compliance Statement prepared by the Council and the relevant office copy entries.
42. Agreed conditions and the SOCG should also be submitted at this time (**4 February**).
43. The Council is to make sure a copy of the notification letter / notices, setting out details of the appeal and the Inquiry, and a list of those notified is sent to the Planning Inspectorate no later than **4 February**.
44. There is no reference in the Rules or the Procedural Guide to supplementary or rebuttal proofs and the Inspectorate does not encourage the provision of such. However, where they are submitted, to save Inquiry time, copies should be provided no later than **4 February**. It is important that any rebuttal proofs do not introduce new issues.
45. Final timings for openings and closings, evidence in chief and Round Table Sessions are required by **11 February** and should include the details of witnesses to be called, including for round table discussions.

### **Costs**

46. None of the parties indicated that they were currently intending to make a costs application.

### **Any other procedural matters**

47. SV raised a query regarding the use of Artificial Intelligence (AI), after the reference in the Inspector's Pre-CMC note. It was acknowledged that SV had used AI in preparing their evidence and this and future use should be declared. This is consistent with advice within [Planning appeals: procedural guide - GOV.UK](#), and more detailed guidance on the use of AI in planning appeals is available online: [Use of artificial intelligence in casework evidence - GOV.UK](#).
48. The Inspector advised that a colleague from the Planning Inspectorate was observing the CMC and would also be observing part of the Inquiry; this is something that occurs from time to time. The observer would not participate in the CMC or Inquiry and would not be involved in the Inspector's decision.
49. The Council advised that its Planning witness, had recently been a Planning Inspector and was known to the observer, who was a former manager of the witness. The Inspector thanked the Council for its openness and advised that former colleagues and acquaintances would be difficult to avoid in the relatively small field of planning. Provided there was no ongoing connection between these people and on the basis the observer was not involved in the Inquiry / decision making process, this is unlikely to be a concern. This was agreed by the appellant and SV.

*Andrew Parkin*  
INSPECTOR

16 January 2026