

**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 78**

Notification of intention to submit an appeal

Under the provisions of Recommendation 3 of the Rosewell Review into inquiry appeals, this notification is to give the Local Planning Authority and Planning Inspectorate not less than 10 working days' notice of an intention to submit a planning appeal where the appellant will request the inquiry procedure.

Complete the following:

The appeal will be against Kirklees Council

For the refusal of planning permission reference 2024/62/91242.

Appellant(s) Newett Homes

Site address: Land north east of Shepley Road, Stocksmoor,
Huddersfield HD4 6XW

Description of development: Erection of residential development (50 Dwellings) with associated access, parking, public open space, landscaping and infrastructure

Planning application number: 2024/62/91242/E

Likely submission date of appeal: 22nd October 2025

Proposed duration of Inquiry in days: 3 days

Next steps:

1. Complete the above fields
2. Save this document
3. Attach to an email and send to the Local Planning Authority and also the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk)
4. Submit your appeal via the [Appeals Casework Portal](#) not less than 10 working days after sending this notification.

From:
Sent: 02 October 2025 17:02
To: 'mathias.franklin@kirklees.gov.uk'; 'nick.hirst@kirklees.gov.uk'
Cc:
Subject: 2024/62/91242/E - land north east of Shepley Road, Stocksmoor.
Attachments: 251002 Notice of Public Inquiry.pdf; Stocksmoor - Decision Notice - August 2025.pdf; Planning Officers Report.pdf; 250411 Highways.pdf; Z159.002G Planning Layout_1.pdf; Z159.100J- Planning Layout - 49 units.pdf

Dear Mathias and Nick,

RE: Safeguarded Land Refusal at Stocksmoor App Ref: 2024/62/91242/E

We have this month been appointed to work alongside [redacted] on an appeal against the refusal of the above application at land north east of Shepley Road, Stocksmoor.

From all matters read, we can see the case to be one of 'off-site' highways concerns (R/R1) and the absence of a S106 agreement (R/R2), as set out on the decision notice and delegated Officer Report (attached).

The absence of a S106 is easily resolved through the appeal process. We suspect R/R1 will be a matter of submitting and testing highway evidence.

Having reviewed the case, as Planners we have identified an issue that we understand you have discussed with the Applicant but didn't resolve – that being on-site highways design concerns that were to be resolved via a revised Planning Layout reducing the scheme from 50 to 49 dwellings.

We can see in the Highways Officer response dated 11th April 2025 (attached) that Officers were broadly comfortable with the proposed changes suggested in the reduction of dwellings albeit had not seen the full detail. Such changes would remove any of the Council's internal design concerns. It therefore doesn't appear as a reason for refusal.

We can also see the reference to a reduced 49 dwelling proposal appears in the Officer Delegated Report and note it was not accepted as a formal submission, understood to be as a result of a timing clash with the decision-making process. The Report suggests these internal design concerns can be addressed by way of a pre-commencement condition. That may be so but it's a bit messy when dealing with this in an appeal.

We understand the Council are open to a Revised Plan submission as part of the Statement of Common Ground (SoCG). Can you confirm this please. The refused 50 dwelling scheme and proposed 49 dwelling layout are attached. There will be other plans that require a tweak to ensure consistency across the submission plans pack, again to be agreed through the SoCG.

We are working on a draft SoCG now to reduce time spent on the matter later.

The appeal deadline is 24th October 2025.

We attach the 10-day notice for submitting an appeal through the Inquiry procedure and will additionally send this to PINS.

Regards

Joint Managing Director

Johnson Mowat
Planning and Development Consultants

Coronet House, Queen Street, Leeds, LS1 2TW

At Johnson Mowat we work flexibly – so whilst it suits me to email now, I don't expect a response outside of your working hours

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From:
Sent: 02 October 2025 17:07
To: inquiryappeals@planninginspectorate.gov.uk
Subject: 2024/62/91242/E - Appeal against refusal
Attachments: 2024/62/91242/E - land north east of Shepley Road, Stocksmoor.

Dear Sir/ Madam,

Please be aware that today I have issued the requisite notification of intention to submit an appeal to Kirklees Council.

A copy of the email, including notification, is attached for your records.

The appeal is against the refusal of planning application reference 2024/62/91242 at land north east of Shepley Road, Stocksmoor.

It is the intention to submit the appeal on the 22nd October 2025.

Kind regards,