

Appeal 6001572

# Questionnaire

<b>Appeal type</b>	Planning
<b>Appeal procedure</b>	Written
<b>Appeal site</b>	37 Bradford Road / 2 & 4 King Street, Cleckheaton, BD19 3JN
<b>Agent contact details</b>	John Cheetham

<b>Local planning authority</b>	Kirklees
<b>Application number</b>	2025/90833

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## Constraints, designations and other issues

<b>Is a planning appeal the correct type of appeal?</b>	Yes
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<b>Changes a listed building</b>	No
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<b>Affects a listed building</b>	No
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<b>Affects a scheduled monument</b>	No
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<b>Conservation area</b>	No
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<b>Protected species</b>	No
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<b>Green belt</b>	No
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<b>Is the site in a national landscape?</b>	No
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<b>Designated sites</b>	No
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<b>Tree Preservation Order</b>	No
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<b>Gypsy or Traveller</b>	No
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<b>Public right of way</b>	No
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## Environmental impact assessment

<b>Schedule type</b>	Other
<b>Issued screening opinion</b>	No
<b>Received scoping opinion</b>	No
<b>Did Environmental statement</b>	No

## Notifying relevant parties

<b>Who was notified</b>	SN Example.pdf - awaiting review SN Posted.pdf - awaiting review Consultation Note.pdf - awaiting review
<b>Type of Notification</b>	A site notice
<b>Site notice</b>	SN Example.pdf - awaiting review SN Posted.pdf - awaiting review
<b>Appeal notification letter</b>	Neighbours Notified Regarding Appeal.pdf - awaiting review

## Consultation responses and representations

<b>Statutory consultees</b>	Yes None required.
<b>Responses or standing advice</b>	No
<b>Representations from other parties</b>	No

## Planning officer's report and supplementary documents

<b>Planning officer's report</b>	2025-90833_Delegated+Report_1089248.PDF - awaiting review
<b>Policies from statutory development plan</b>	Policy LP24.docx - awaiting review

Policy LP53.docx - awaiting review  
KLP cover sheet and introduction.pdf - awaiting review  
Policy LP22.docx - awaiting review  
Policy LP21.docx - awaiting review  
Policy LP52.docx - awaiting review

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**Emerging plan** No

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**Supplementary planning documents** No

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**Community infrastructure levy** No

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## Site access

**Will the inspector need access to the appellant's land or property?** Yes

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**Reason for Inspector access** To ascertain a position on reason for refusal 1.  
The development fails to demonstrate that all habitable rooms within the proposed dwellings would receive adequate natural light, as required under Paragraph MA.2.2(f) of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).  
Habitable rooms on the south elevation would face, in close proximity, to a three storey building. The applicant has not demonstrated that both direct and ambient light would not be reduced to an unacceptable level.

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**Will the inspector need to enter a neighbour's land or property?** No

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**Potential safety risks** No

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# Appeal process

Appeal procedure	Written representations
Appeals near the site	No
Are there any new conditions?	<p>Yes</p> <p>1. Prior to first occupation of any of the dwellings hereby permitted, a noise mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify noise attenuation measures necessary to ensure that all habitable rooms achieve acceptable internal noise levels from nearby commercial and road traffic sources. The approved noise mitigation measures shall be installed prior to occupation of the development and shall thereafter be retained. Reason: To ensure acceptable living conditions for future occupiers with regards to noise in accordance with the National Planning Policy Framework 2024 and Policies LP52 and LP24 of the Kirklees Local Plan.</p> <p>2. Prior to first occupation of the dwellings, details of secure and covered cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be installed in accordance with the approved details prior to occupation and thereafter retained. Reason: To encourage sustainable transport and ensure adequate cycle storage, in accordance with the National Planning Policy Framework 2024 and Policy LP21 of the Kirklees Local Plan.</p> <p>3. In the event that contamination not previously</p>

identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the Local Planning authority shall be notified in writing within 2 working days. Works on site shall not recommence until either:

a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or,  
b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority. Reason: To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and

