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Planning Inspectorate Manage your appeals

Appeal 6006003

Questionnaire

Appeal type	Planning
Appeal procedure	Written
Appeal site	Land Adjacent, 837, Manchester Road, Linthwaite, Huddersfield, HD7 5NF
Agent contact details	
Local planning authority	Kirklees
Application number	2025/62/91903/W

Constraints, designations and other issues

Is a planning appeal the correct type of appeal?	Yes
Changes a listed building	No
Affects a listed building	No
Affects a scheduled monument	No
Conservation area	Yes
Uploaded conservation area map and guidance	Linthwaite.pdf - awaiting review
Protected species	No
Green belt	Yes

Is the site in a national landscape?	No
Designated sites	No
Tree Preservation Order	No
Gypsy or Traveller	No
Public right of way	No
Total site area	120 m ²

Environmental impact assessment

Schedule type	Other
Issued screening opinion	No
Received scoping opinion	No
Did Environmental statement	No

Notifying relevant parties

Who was notified	2025-91903_+Consultee+Responses_1106013.PDF - awaiting review
	2025-91903_+Consultee+Responses_1111526.PDF - awaiting review
	2025-91903_+Consultee+Responses_1122900.PDF - awaiting review
	2025-91903_+Neighbour+representations_1106786.PDF - awaiting review
	2025-91903_+Neighbour+representations_1102782.PDF - awaiting review
	Notifications.pdf - awaiting review
	2025-91903_+Consultee+Responses_1110328.PDF - awaiting review
	2025-91903_+Neighbour+representations_1106786.PDF - awaiting review

ations_1104449.PDF -
awaiting review

Type of Notification	A site notice
Site notice	Site notice.pdf - awaiting review
Appeal notification letter	Site notice.pdf - awaiting review

Consultation responses and representations

Statutory consultees	Yes The relevant consultations are set out in the case officer report.
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Responses or standing advice	Yes
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Uploaded consultation responses and standing advice	2025-91903_+Consultee+Responses_1111526.PDF - awaiting review 2025-91903_+Consultee+Responses_1122900.PDF - awaiting review 2025-91903_+Consultee+Responses_1106013.PDF - awaiting review 2025-91903_+Consultee+Responses_1110328.PDF - awaiting review
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Representations from other parties	Yes
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Uploaded representations from other parties	2025-91903_+Neighbour+representations_1104449.PDF - awaiting review 2025-91903_+Neighbour+representations_1106786.PDF - awaiting review 2025-91903_+Neighbour+representations_1102782.PDF - awaiting review
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Planning officer's report and supplementary documents

Planning officer's report	2025-91903_Delegated+Report_1124334.PDF - awaiting review 2025-91903_+Decision+Notice_1124365.PDF - awaiting review
Policies from statutory development plan	Policy LP24.pdf - awaiting review KLP cover sheet and introduction.pdf - awaiting review Policy LP33.pdf - awaiting review Policy LP35.pdf - awaiting review
Emerging plan	No
Uploaded other relevant policies	Housebuilders Design Guide SPD.pdf - awaiting review
Supplementary planning documents	Yes
Uploaded supplementary planning documents	Housebuilders Design Guide SPD.pdf - awaiting review
Community infrastructure levy	No

Site access

Will the inspector need access to the appellant's land or property?	No
Will the inspector need to enter a neighbour's land or property?	No
Potential safety risks	No

Appeal process

Appeal procedure	Written representations
Appeals near the site	No

Are there any new conditions?

Yes
Structures:

Development shall not commence until a scheme detailing the location and cross sectional information together with the proposed design and construction details for all new retaining walls / building retaining walls adjacent to the existing highway including public right of way (COL/85/60) together with the proposed modification to the existing retaining wall adjacent to A62 Manchester Road has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the development being brought into use and thereafter retained.

Waste:

Notwithstanding the plans submitted, the development shall not be brought into use until a scheme detailing

(i) the location, design and materials of all bin storage areas/enclosures and recycling storage areas for the residential and commercial aspects of the scheme and
(ii) bin presentations points for collection of wastes has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be brought into use until the works required have been completed/provided, which shall thereafter be retained.

Surfacing:

The approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment

Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.

Materials:

Development above slab/foundation level shall not commence until details of all external materials including walls, roofing materials, solar panels, doors, windows, surfacing, rainwater goods and colour finishes to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved scheme has been completed. No materials and colour finishes other than those approved in accordance with this condition shall be used which shall thereafter be retained and maintained for the lifetime of the development.

Finished floor levels:

Development shall not commence until a scheme detailing the finished slab and floor levels of the dwelling hereby approved together with corresponding existing and finished ground levels related to Ordnance Datum or an identifiable temporary datum has been submitted to and approved in writing by the Local Planning Authority. The construction of the dwelling shall thereafter be carried out in accordance with the details so approved before the dwelling is first occupied and thereafter retained.

Boundary Treatments:

Notwithstanding the details shown on the approved plans, the development shall not be brought into use until a scheme detailing the boundary treatment of the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the boundary treatment has been completed in accordance with the approved details. The scheme shall thereafter be retained.

Landscaping:

The development shall not be brought into use until a scheme detailing hard and soft landscaping, tree/shrub planting, including the indication of all existing trees and hedgerows on and adjoining the site, details of any to be retained has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate the planting of native trees and hedgerows. The scheme shall be completed within the first planting season following the development being brought into use. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives its written consent to any variation. The areas indicated for use as soft landscaping shall be retained as soft landscaped areas for the lifetime of the development and used for no other purpose.

Unexpected Contamination:

In the event that contamination not previously identified by the developer is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area 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 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.
