# KIRKLEES METROPOLITAN COUNCIL
# INVESTMENT & REGENERATION SERVICE

## DEVELOPMENT MANAGEMENT

**Town and Country Planning Act 1990 (as amended)**

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION**

| | |
|---|---|
| **Reference No:** | 2025/44/93086/W |
| **Site Address:** | Wappy Springs Inn, Lindley Moor Road, Lindley Moor, Huddersfield, HD3 3TD |
| **Description:** | Discharge of details reserved by condition 21 (fence) on previous permission 2024/92553 for erection of mixed industrial development (Use Classes E(g)(ii, iii), B2 and B8); including demolition of existing structures, new yard, parking, landscaping, drainage features and ancillary structures |
| **Recommending Officer:** | Ellie Thornhill |

**DECISION – Discharge of Condition – Approve**

**I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.**

Nick Hirst

***AUTHORISED OFFICER***

**Date: 08-Jan-2026**

**Application:** 2025/93086

**Site:** Wappy Springs Inn, Lindley Moor Road, Lindley Moor, Huddersfield, HD3 3TD

**Proposal:** Discharge of details reserved by condition 21 (fence) on previous permission 2024/92553 for erection of mixed industrial development (Use Classes E(g)(ii, iii), B2 and B8); including demolition of existing structures, new yard, parking, landscaping, drainage features and ancillary structures.

**Condition 21: Fence**

> *21. Prior to occupation of any unit:*
>
> *(a) a plan showing the alignment of a close-boarded fence to be erected along the boundary of the development site with the M62 (or at least one metre from any part of the existing Motorway fence where the boundary lies within one metre of this) including details of its future management and maintenance in perpetuity, shall be submitted to and approved in writing by the Local Planning Authority and*
> *(b) the fence approved by part (a) of this condition has been erected in accordance with the approved details.*
>
> *Thereafter, the fence shall be retained and only be repaired or replaced in accordance with the requirements of this condition.*
> ***Reason:** For reasons of safety, liability and maintenance of the M62 motorway in accordance with paragraph 57 DfT Circular 01/2022.*

In support of condition 21, the applicant has submitted:

- CLD Dulok ScreenFence (unreferenced)
- Condition 21 (by KPP Architects)
- Fencing and gate details (reference: 2012 rev P1)
- Operations and maintenance manual (unreferenced)
- Fence Maintenance Strategy (dated 07/01/2026)

<u>Consultation Response</u>

National Highways – Received 07/11/25:

> *Condition 21: Prior to occupation of any unit: (a) a plan showing the alignment of a close-boarded fence to be erected along the boundary of the development site with the M62 (or at least one metre from any part of the existing Motorway fence where the boundary lies within one metre of this) including details of its future management and maintenance in perpetuity, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the M62 motorway).*

*I am content with the use of the alternative CLD Dulok Screen Fence privacy screening system due to its long life and durability.*

*However, a plan showing the alignment of the fence along the boundary of the development site with the M62 (or at least one metre from any part of the existing Motorway fence where the boundary lies within one metre of this) has not been provided as required.*

*As such, the applicant is asked to provide this to satisfy both National Highways and the Local Planning Authority that all the requirements of this condition are met prior to discharge.*

National Highways – Received 12/11/25:

*Thank you for providing the drawing which I see includes the fence adjacent to the M62 although it does not include measurements to satisfy me that it will be erected at least one metre from any part of the existing Motorway fence where the boundary lies within one metre of this.*

*Notwithstanding this, I see no merit in requesting a revised drawing as the applicant is obliged to adhere to the requirements of the condition, as such I offer no objection to the discharge of this condition.*

Assessment

The submitted information proposes a 2.4m high Dulok Screen Fence to be erected along the boundary of the development site with the M62, approximately 2m away from the existing motorway fence. The proposed fencing would be a durable polyethylene screen that is woven to the dulok 868 double wire panel, to create a close boarded finish.

The fence would have a Black finish (RAL 9005).

Officers consider the visual aesthetics of the fence to be acceptable, given the sites proposed use and location adjacent to the M62.

With regards to the management and maintenance of the fence, the submitted information sets out that a visual inspection of the fence would take place every 3 months as part of the quarterly site inspection visits. This would be carried out by Frank Marshall Estates management company.

The cleaning of the fence would be carried out and recorded bi-annually, using warm water and mild detergent. Any damage, defect or fault would be remedied immediately but at the longest, within 2 weeks of being identified.

Considering the above, Planning Officers concur with the assessment made by National Highways, including regarding the separation distance from the fence, and recommend that the submitted details can be approved.

Notwithstanding the above, the condition has an ongoing requirement and therefore, it cannot currently be discharged in a full. A note of the ongoing requirements is recommended to be included on the decision notice.

**Recommendation:** Approve details.

**Report Dated:** 08/01/2026

**Recommended Decision Notice Text**

Condition 21: Fence

Pursuant to condition 21, you have submitted:

- CLD Dulok ScreenFence (unreferenced)
- Condition 21 (by KPP Architects)
- Fencing and gate details (reference: 2012 rev P1)
- Operations and maintenance manual (unreferenced)
- Fence Maintenance Strategy (dated 07/01/2026)

The information submitted is acceptable for condition 21, however, condition 21 has the ongoing requirement, which must be adhered to:

> *(b) the fence approved by part (a) of this condition has been erected in accordance with the approved details. Thereafter, the fence shall be retained and only be repaired or replaced in accordance with the requirements of this condition.*

**Please note:** You are also reminded that the condition states that the fence should be erected at least one meter away from the existing Motorway fence where the boundary lies within one metre of this. Officers have only assessed the location and details of the Dulok Screen Fence required by condition 21.