



**Town and Country Planning Act 1990**

**Town and Country Planning General Regulations 1992**

**REFUSAL OF PLANNING PERMISSION FOR DEVELOPMENT SUBJECT TO  
REGULATION 3**

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**Application Number: 2025/48/93235/E**

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**To:** Matthew Creedy  
SLC Property  
3, Brindley Place  
Birmingham  
B1 2JB

**For:** ILYAS RAMJAN, KIRKLEES COUNCIL - MAJOR PROJECTS TEAM

**Description and location of development:**

REMOVAL OF THE CROSS AND REINSTATEMENT WITHIN THE GRASS  
VERGE ON CROSS STREET/WYKE LANE (LISTED BUILDING)

**At:** THE CROSS, WYKE LANE/CROSS STREET, OAKENSHAW

**In pursuance of its powers under the above mentioned Act and Regulations  
KIRKLEES COUNCIL (hereinafter called "The Council") hereby REFUSES planning  
permission for the above development. The reason(s) for the REFUSAL are:-**

1. The proposed development would result in harm to the setting of a designated heritage asset (Oakenshaw Cross), which provides important visual, historical and social benefits to the wider area, with no public benefits to outweigh such harm.

The re-siting of the Cross will negatively impact the heritage asset and will diminish the long views along Wyke Lane and Sykes Lane. The new siting of the Cross will adversely affect the historical setting, pride of place and historical significance of the Cross, displacing an important historical asset from its place within the intersection of Wyke Lane.

It would remove the important vistas from Wyke Lane, whilst enclosing the listed assets to a site of which will be impenetrable to the wider area. To permit the development would be contrary to Policies LP24 and LP35 of the Kirklees Local Plan, paragraphs in Chapter 16 of the National Planning Policy Framework.

2. The proposed development, due to scale and positioning would have a detrimental impact on the archaeological foundations of the Cross. The below ground foundations would be adversely impacted and could not be affectively controlled by the re-siting of the heritage asset. To permit the development would be contrary to Policies LP24 and LP35 of the Kirklees Local Plan, paragraphs in Chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location plan	LA-01	RevA	16 January 2026
Proposed site plan	HD/25/67355 /PL-1B	RevA	15 January 2026
Topographical survey	LA-02	-	25 November 2025
Landscaping plan	LA-03	RevA	15 January 2026
Cross section / contours plan	LA-04	-	25 November 2025
Street furniture & interpretations board	LAD699	-	25 November 2025
Tree constraints plan	-	-	25 November 2025
Arboricultural implications plan	-	-	25 November 2025
Archaeological feature plan	-	-	25 November 2025
Structural works specification	Y19	-	12 January 2026
Arboricultural Report & Impact Assessment	23498/ChC	-	25 November 2025
Highways statement	-	-	25 November 2025
Highway construction GC	GC-1A	-	25 November 2025
Highways plan existing	PL-2A	-	25 November 2025
Highways plan interim	PL-3A	-	25 November 2025
Highways plan existing cross elevation	PL-4A	-	25 November 2025
Engineering plans existing	Y19/102	-	25 November 2025
Engineering relocation plan 1	Y19/Sk01	-	25 November 2025
Engineering relocation plan 2	Y19/Sk02	-	25 November 2025
Engineering relocation plan 3	Y19/Sk03	-	25 November 2025

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Archaeological illustrations	OKN25	-	25 November 2025
Archaeological drawings	OCB21	-	25 November 2025
Material specification	LAD699	-	25 November 2025
Visual interpretation	-	-	25 November 2025
Landscape interpretations	LAD699	-	25 November 2025
Historical disc	LAD699	-	25 November 2025
Heritage statement	14106	-	25 November 2025
Planning statement	V1.1	-	25 November 2025
Design and access statement	634 V1.1	-	25 November 2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

During the course of the application, the following amended plans were submitted for consideration:

- Location plan LA-01 revA – 16 January 2026
- Site plan HD/25/67355 /PL-1B - 15 January 2026
- Landscaping plan LA-03 revA - 15 January 2026

The changes set out to indicate the ownership of the grass verge which the cross will be situated in, identifying it as land owned by Kirklees Council.

The following additional information was submitted for consideration:

- Specification: Structural Works, authored by Blackett-Ord, reference Y19, dated November 2025 - received 12 January 2026.

The document sets out materials and methods to be used during the erection of the monument including mortar, stone repair, foundations

**Where the application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area**

## **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [The Planning Inspectorates website](#). Further information on the Planning Appeal process can be found online at the [Planning Inspectorates website](#).
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

**Please note, only the applicant possesses the right of appeal.**

## **Purchase Notices**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

**In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.**

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

Dated: **12-Feb-2026**

Signed:



David Shepherd  
Executive Director for Place

### **Application Plans**

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the [Planning and Building Control web site](#)

If a paper copy of the decided plan is required, please email:

[dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

or telephone (01484) 414746 with the application number.

There may be a charge for this service.

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Address to which all communications should be sent:

Kirklees Council  
Planning and Development Service  
PO Box 1720  
Huddersfield  
HD1 9EL

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