Appeal 6008310

Appeal questionnaire

Submitted on 30 April 2026.

Appeal type	Full planning
Appeal site	80 Marsh Lane, Shepley, Huddersfield, HD8 8AP
Agent contact details	Paul Matthews
Application number	2025/62/93528/E

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	No
Protected species	No
Green belt	No
Is the site in a national landscape?	No
Designated sites	No, it is not in, near or likely to affect any designated sites
Tree Preservation Order	No
Gypsy or Traveller	No
Public right of way	No

Environmental impact assessment

What is the development category?	Other

Issued screening opinion	No
Did the applicant submit an environmental statement?	No

Notifying relevant parties

List of neighbours' addresses that you notified about the application	Appeal Neighbour Notifications.pdf (/document/d3e9a38c-b65d-43e3-b0c3-395e26e93b41) KC Trees response .pdf (/document/7ff83a70-348f-459d-86cb-8b67ac8fa513) KC Ecology .pdf (/document/e3067655-0658-4e52-b3ad-92caec96397d) Site notice and photos .docx (/document/97e65486-98a7-4c92-be7c-c4003762cb8a) Appeal Interested Parties.pdf (/document/fd7f844d-1746-4cf9-a3e2-fb9efc731012)
Type of notification	A site notice
Uploaded site notice	Site notice and photos .docx (/document/53b44770-23fe-43e6-b694-6d20af905018)
Appeal notification letter	Appeal Neighbour Notifications.pdf (/document/08043178-999e-4826-a029-b4249ca0b62e) Appeal Interested Parties.pdf (/document/b4478d52-3045-4db5-8ebf-c3d473625c83)

Consultation responses and representations

Statutory consultees	Yes KC Ecology KC Trees
Responses or standing advice to upload	Yes
Upload the consultation responses and standing advice	KC Ecology .pdf (/document/fa3c7ab8-a0cb-4eaa-a216-04d7bb8e1553) KC Trees response .pdf (/document/af977f0e-892a-4c22-a313-26e068a3491d)
Representations from other parties	Yes
Upload representations from other parties	Kirkburton Parish Council .pdf (/document/ba37d9c3-df35-4df4-8327-353699d615e1) Objection .pdf (/document/951317a4-16e5-4dfe-b8ca-c01fe68f4875)

Planning officer's report and supporting documents

Upload planning officer's report	2025-93528_+Decision+Notice_1132625.PDF (/document/74ce6b0d-7334-483e-a835-b0045be7e16f) Officer Report .pdf (/document/08c6679b-8b26-412e-9d15-b7f7d846672d)
Do you have any relevant policies from your statutory development plan?	Yes
Policies from statutory development plan	Policy LP2.docx (/document/c796f798-9a18-4e0e-b04d-06db75d6848d) Policy LP1.docx (/document/f8f25c8e-c76f-4bf8-aa3c-1325c68a9f46) KLP cover sheet and introduction.pdf (/document/53012728-29ac-4e89-aa0f-42319728218e) Policy LP24.docx (/document/69662688-8366-4075-97ac-4a6fad1bc9b2) Housebuilders Design Guide SPD.pdf (/document/f6772eec-a276-449f-83aa-fa7e41b64fc2)
Emerging plans	No
Do you have any other relevant policies?	No
Supplementary planning documents	No
Community infrastructure levy	No

Site access

Access for inspection	Yes See full context of site
Will the inspector need to enter a neighbour's land or property?	No
Potential safety risks	No

Appeal process

Procedure type	Written representations
Appeals near the site	No
Extra conditions	Yes Notwithstanding the submitted details, development above slab/foundation level shall not commence until details of all external walling and roofing materials 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 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.
Reason: In the interests of visual amenity and to protect the green belt setting to accord with Policy LP 24 of the Kirklees Local Plan, The Kirklees Housebuilders Design Guide SPD and guidance contained within Chapter 12 and Chapter 16 of the National Planning Policy Framework.

The dwellings hereby approved shall not be occupied until all areas indicated to be private drives and parking areas are laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for parking thereafter.
Reason: In the interests of visual amenity and traffic safety, to mitigate flood risk arising from surface water run-off, to ensure adequate space within the site for vehicle movements and parking and to comply with Policies LP24 and LP28 of the Kirklees Local Plan and Chapters 9 and 12 of National Planning Policy Framework.

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 detail the phasing of the landscaping and planting. The development and the works comprising the approved scheme shall be implemented in accordance with the approved phasing. 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.
Reason: To ensure that there is a well laid out scheme of healthy trees, hedgerows and shrubs in the interests of amenity and providing biodiversity measures to accord with Policy LP24 of the Kirklees Local Plan, principles 5 and 6 of the Council's adopted Housebuilders Design Guide SPD and Policies within Chapter 12 of the National Planning Policy Framework.

Notwithstanding the approved plans, boundary treatment along the front boundary shall be limited to a maximum height of 1 m to ensure that visibility splays are achieved.
Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

condition for a CEMP: Biodiversity (Construction Environment Management Plan) is advised, e.g.
No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity)
has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity)
shall include the following:
a) Summary of potentially damaging activities
b) Identification of "biodiversity protection zones"
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce
impacts during construction (these may be provided as a set of method statements)
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.
The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction
period strictly in accordance with the approved details, unless otherwise agreed in writing by the local
planning authority.

The CEMP must also include the following specific plans / documents:
• Mitigation / precautionary measures Upper and Lower Stones Wood LWS.
Reason: In the interests of biodiversity and in accordance with Kirklees Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework

No works shall commence on-site prior to the completion of an invasive species survey and appropriate removal and / or management plan and agreed in writing with the council.
Schedule 9 of the Wildlife and Countryside Act 1981 lists non-native species that are considered
harmful to native biodiversity and habitats in the UK. It is illegal to release, plant, or allow these species
to grow in the wild.
Reason: In the interests of biodiversity and in accordance with Kirklees Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework.

No development shall take place until an ecological design strategy (EDS) addressing mitigation and
enhancement has been submitted to and approved in writing by the local planning authority.
The EDS shall include the following.
a. Purpose and nature conservation objectives for the proposed works.
b. Review of site potential and constraints.
c. Detailed design(s) and/or working method(s) to achieve stated objectives.
d. Extent and location/area of proposed works on appropriate scale maps and plans.
e. Type and source of materials to be used where appropriate, e.g. native species of local provenance.
f. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
g. Persons responsible for implementing the works.
h. Details of initial aftercare and long-term maintenance.
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i. Details for monitoring and remedial measures.
j. Details for disposal of any wastes arising from works.
The EDS shall be implemented in accordance with the approved details, and all features shall be retained in that manner thereafter.
Reason: In the interests of biodiversity and in accordance with Kirklees Local Plan Policy

LP30 and Chapter 15 of the National Planning Policy Framework

Prior to the installation of any external lighting, a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), shall be submitted to, and approved in writing by, the Local Planning Authority. The Sensitive Lighting Strategy will demonstrate that the lighting will not impact upon ecological networks and/or sensitive features. External lighting shall be installed in accordance with the specifications and locations set out within the approved lighting scheme and retained thereafter.
Reason: In the interests of biodiversity and in accordance with Policy LP30 and Chapter 15 of the National Planning Policy Framework 2024.