

17th June 2026
Ref 2026/141 CL

Planning Cover Letter –

8 St Pauls Road, Kirkheaton, Huddersfield, HD5 0EX

Retrospective application for the erection of garden retaining wall and associated engineering works.

This Design and Planning Statement has been prepared in support of a retrospective householder planning application for the erection of a garden retaining wall and associated engineering works to regrade the domestic garden at 8 St Pauls Road, Kirkheaton.

The applicant was contacted by Mr C Cockroft of Kirklees Council's Planning Enforcement Team in January 2026 initially in person with the council officer stating a complaint had been raised about a wall and outbuilding. The applicant then showed the officer to the garden and explained the intentions. Following the visit in March 2026 a letter was then received regarding the unauthorised engineering works. Following this correspondence, Hill Rise Architecture was instructed to prepare the necessary planning application to regularise the development.

The works comprise the construction of retaining walls formed from gabion baskets infilled with brick together with associated land regrading to create a more level and usable garden area. The retaining structures support imported fill material which has been used to reduce the severity of the existing slope and create a practical lawned garden closer to the house.

Prior to the works, the site contained a significant change in level between the main dwelling and the lower section of the garden. This steep gradient made maintenance increasingly difficult, especially as the applicant has become older. The slope also limited the safe enjoyment of the garden by the applicant's young grandchildren, who are frequent visitors to the property. The purpose of the works has therefore been to create a safer, more accessible and more usable outdoor space for family use.

From a planning perspective, the development has a negligible impact upon neighbouring residential amenity. Whilst a level area has been created, the overall ground levels across the wider site remain substantially unchanged, with the works largely redistributing levels within the applicant's own garden. The development does not introduce any elevated balconies or opportunities for overlooking, nor does it materially alter the relationship between neighbouring properties.

Furthermore, the site benefits from substantial established boundary treatments and mature vegetation which provide effective screening to adjoining properties. As a result, the development does not result in any meaningful loss of privacy, overbearing impact or loss of outlook. Given the domestic nature of the works and their containment within an enclosed rear garden, it is considered that the proposal has no adverse effect upon neighbouring occupiers.

The visual impact of the retaining walls is similarly limited. The structures are located within a private rear garden and are not readily visible from the public realm. The walls have been constructed using gabion baskets, a common retaining solution that is frequently used in landscape and civil engineering applications to overcome gradients in the district. The applicant intends to establish climbing plants and other soft landscaping to the face of the walls which will further soften their appearance over time and integrate them into the garden environment. A 1.1 metre high balustrade is proposed above the wall for safety purposes and is shown on the submitted drawings.

It is also relevant to consider the fallback position available under permitted development rights. Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015

Hill Rise Architecture LTD.

Hill Rise, 1-3 Chapel Lane, Huddersfield, HD8 9SP
07356 048 202 | hello@hillrisearchitecture.co.uk | www.hillrisearchitecture.co.uk
Co. Reg. No. 16132839

(as amended) permits the provision, improvement or alteration of a gate, fence, wall or other means of enclosure, provided that it would not exceed 2 metres in height above ground level and is not adjacent to a highway used by vehicular traffic where a lower limitation applies.

The retaining wall proposed as part of these works has a maximum height of approximately 1.9 metres and is located within the private rear garden well away from any highway. Had the applicant erected a freestanding wall of a similar height within the garden, this element would ordinarily have fallen within permitted development rights. The requirement for planning permission in this instance therefore arises principally from the associated engineering operations undertaken to create the level terrace, rather than from the physical presence, scale or appearance of the retaining wall itself.

The applicant did not knowingly contravene planning legislation and has acted positively and proactively since being made aware of the Council's concerns. All further works have been paused pending determination of this application and the applicant is seeking to regularise the situation through the proper planning process.

Overall, the development represents a modest domestic intervention which significantly improves the usability, accessibility and safety of the garden without giving rise to any material harm to neighbouring amenity, visual character or the wider area. The proposal is therefore considered to constitute sustainable and acceptable development, and approval is respectfully requested.

Document prepared by

James Fearnley RIBA
Director

Bsc(Hons) March PgDipArch ARB

For & on behalf of Hill Rise Architecture Ltd.

Hill Rise Architecture LTD.

Hill Rise, 1-3 Chapel Lane, Huddersfield, HD8 9SP
07356 048 202 | hello@hillrisearchitecture.co.uk | www.hillrisearchitecture.co.uk
Co. Reg. No. 16132839

Appendix 1 – Images of construction shared by client.



08.06.2023



08.06.2023

Hill Rise Architecture LTD.

Hill Rise, 1-3 Chapel Lane, Huddersfield, HD8 9SP
07356 048 202 | hello@hillrisearchitecture.co.uk | www.hillrisearchitecture.co.uk
Co. Reg. No. 16132839



08.06.2023

Hill Rise Architecture LTD.

Hill Rise, 1-3 Chapel Lane, Huddersfield, HD8 9SP
07356 048 202 | hello@hillrisearchitecture.co.uk | www.hillrisearchitecture.co.uk
Co. Reg. No. 16132839



08.06.2023



Sat on top of the banking / original terrace 08.06.2023



11.05.2025 – newly laid turf on the completed terrace above.

Hill Rise Architecture LTD.

Hill Rise, 1-3 Chapel Lane, Huddersfield, HD8 9SP
 07356 048 202 | hello@hillrisearchitecture.co.uk | www.hillrisearchitecture.co.uk
 Co. Reg. No. 16132839

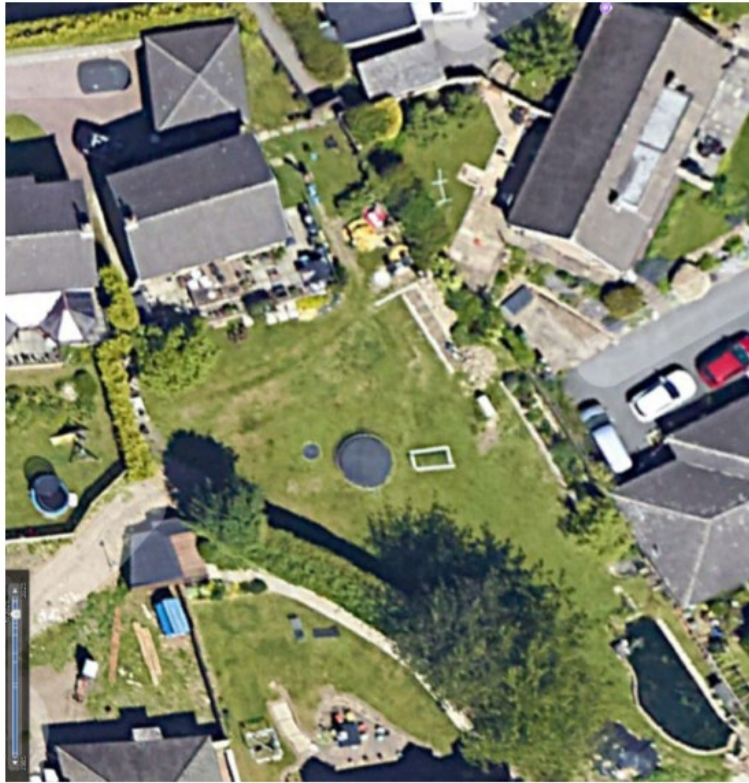
Photos after the ground has been levelled back to the original sloping garden



Hill Rise Architecture LTD.

Hill Rise, 1-3 Chapel Lane, Huddersfield, HD8 9SP
07356 048 202 | hello@hillrisearchitecture.co.uk | www.hillrisearchitecture.co.uk
Co. Reg. No. 16132839

Appendix 2 – Google Earth Satellite Imagery



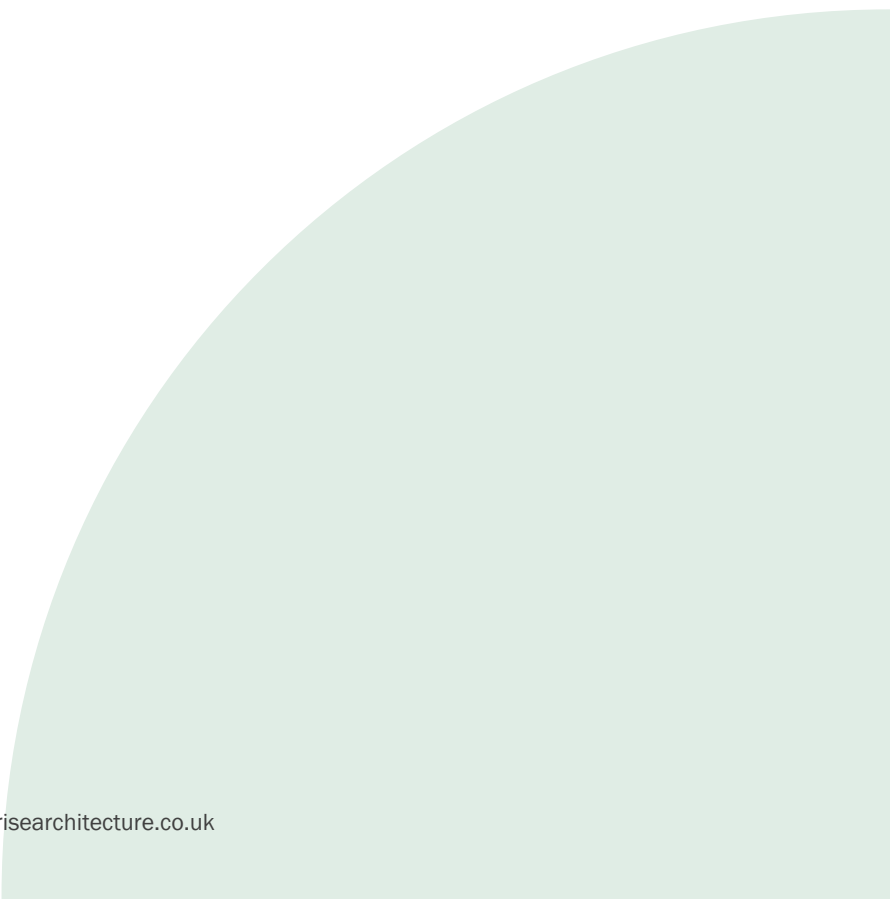
Google Earth June 2021



Google Earth April 2025

Hill Rise Architecture LTD.

Hill Rise, 1-3 Chapel Lane, Huddersfield, HD8 9SP
07356 048 202 | hello@hillrisearchitecture.co.uk | www.hillrisearchitecture.co.uk
Co. Reg. No. 16132839



Hill Rise Architecture LTD.

Hill Rise, 1-3 Chapel Lane, Huddersfield, HD8 9SP
07356 048 202 | hello@hillrisearchitecture.co.uk | www.hillrisearchitecture.co.uk
Co. Reg. No. 16132839