

# 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

<b>Reference No:</b>	2025/44/91757/W
<b>Site Address:</b>	Penistone Road/, Rowley Lane, Fenay Bridge, Huddersfield, HD8 0JS
<b>Description:</b>	Discharge of details reserved by condition 8 (materials (dwellings)) and condition 9 (retaining wall materials) on previous permission 2024/90058 for reserved matters application, including considerations of appearance, scale, layout, and landscaping, for erection of 67 dwellings, pursuant to outline permission 2020/92307 for erection of residential development (up to 75 units) and discharge of outline conditions 7 (archaeology), 8 (foul and surface water drainage strategy), 9 (flood routing), 10 (mitigatory tree planting), 11 (cycle parking), 12 (arboricultural assessment), 13 (Ecological Design Strategy), 14 (Ecological Impact Assessment ) and 15 (noise impact assessment)
<b>Recommending Officer:</b>	Katie Chew

#### **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: 03-Oct-2025**

## Second Officer Report

**Application:** 2025/91757

**Application Site:** Penistone Road/, Rowley Lane, Fenay Bridge, Huddersfield, HD8 0JS

**Proposal:** Discharge of details reserved by condition 8 (materials (dwellings)) and condition 9 (retaining wall materials) on previous permission 2024/90058 for reserved matters application, including considerations of appearance, scale, layout, and landscaping, for erection of 67 dwellings, pursuant to outline permission 2020/92307 for erection of residential development (up to 75 units) and discharge of outline conditions 7 (archaeology), 8 (foul and surface water drainage strategy), 9 (flood routing), 10 (mitigatory tree planting), 11 (cycle parking), 12 (Arboricultural assessment), 13 (Ecological Design Strategy), 14 (Ecological Impact Assessment ) and 15 (noise impact assessment).

### Overview

An interim decision letter pursuant to this DOC application was issued 09/09/2025, with the following position:

Discharged and/or details approved: 9

Details not approved: 8

This letter relates to the condition which has not previously had its details approved.

### Assessment:

#### Condition 8 (materials (dwellings))

*8. Prior to their use, details and samples of all the external facing materials to be utilised on the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority. The proposed details shall adhere to the material legend shown on plan ref C005 MP1 rev C. The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.*

**Reason:** *In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.*

In support of Condition 8 the following documents have been submitted:

- Material Plan, Drawing No. C005 MP, Rev D, received 02/09/2025.
- Anstone Brochure, received 26/06/2025.
- Photograph of sample panel of Danum TLE Dark Grey roof tiles, received 22/07/2025.
- Danum TLE product datasheet, received 22/07/2025.

- Photograph of sample panel of artificial stone – Anstone Olde Heather Black, received 07/07/2025.
- Photograph of sample panel of natural stone – 140mm Stanton Stone pitched faced, received 07/07/2025.
- CUPA 4 Brochure, showing non-carbonated slate formed by tectonic compression, coloured in blue/black with thin laminations and a smooth surface, received 09/09/2025.

This condition has been reviewed by KC Conservation & Design who have provided the following response in their consultation dated 22/07/2025.

**Natural stone** for units to the west of the site on the outskirts of the site (units 41-50, 66 & 67), 140mm Stanton Stone, pitched faced is proposed – which is considered to be acceptable.

*Previously natural slate roofs were proposed for this group of houses and is marked on the plan for materials – so this would be preferred for the houses to the West – a natural Welsh blue slate. This is requested as different to the latest current proposals. It is important to require quality materials on the most visible set of new dwellings within the setting of the Grade II and Grade I Listed Buildings, and more visible in the wider landscape generally.*

**Other houses to east of site –**

*Artificial – Anstone Olde Heather Black is accepted, as artificial stone has been agreed previously. (I note the data sheets state it is 80% natural material).*

*Artificial slate – Dark grey Danum TLE tile is considered to be acceptable, they state it has a thin edge as a replica for slate. But this is only acceptable for the houses to the east, not those to the west.*

*Coursing and mortar – this needs to be detailed in due course, to be flush or recessed pointing, of a colour appropriate to the natural stone being used.*

Officers concur with the above assessment, noting that the majority of the proposed materials are considered to be sympathetic to, and reflective of adjacent developments and therefore are deemed to be visually acceptable in this location.

Following the issuing of the interim decision on 09/09/2025, the applicant sought to provide the Council with a brochure from CUPA 4 which shows a non-carbonated natural slate, coloured in black/blue with thin laminations and a smooth surface. This material is proposed to be used within plots 41-50, 66 & 67, and is considered to be acceptable as a natural slate roof material, as previously approved under application 2024/90058. Conservation & Design

Officers have also confirmed on 17/09/2025, that this natural Spanish slate is deemed to be suitable in this instance as it relates to new build dwellings.

It is also important to note that the applicant has submitted a Section 73 application which is currently pending consideration, in respect of varying condition 8 in so far as the roof materials for units 41-50, 66 & 67. The Section 73 application seeks to vary the materials from natural slate roof tiles to artificial slate dark grey Danum TLE tile, to match the rest of the dwellings within the site.

The information submitted pursuant to Condition 8 is acceptable, therefore Condition 8 is hereby approved. However, please be aware that Condition 8 has the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.*

**Recommendation:** Approve details.

**Report Dated:** 17/09/2025.

### **Recommended Decision Notice Text**

#### **Overview**

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#### **Condition 8 (materials)**

Pursuant to Condition 8, you have submitted:

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- Photograph of sample panel of Danum TLE Dark Grey roof tiles, received 22/07/2025.
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- CUPA 4 Brochure, showing non-carbonated slate formed by tectonic compression, coloured in blue/black with thin laminations and a smooth surface, received 09/09/2025.

The information submitted pursuant to Condition 8 is acceptable, therefore Condition 8 is hereby approved.

However, Condition 8 has the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.*