

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No: 2025/61/92242/W

Site Address: Land off, Hermitage Park, Lepton, Huddersfield, HD8 0JU

Description: Reserved Matters application (including consideration of appearance, scale and landscaping) for the erection of 80 dwellings, pursuant to Section 73 approval 2025/90105 pursuant to previous outline permission 2022/91735, and the discharge of outline conditions 6, 7, 8, and 9

Recommending Officer: Victor Grayson

DECISION – Reserved Matters – 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: 10-Nov-2025

Application: 2025/92242

Site: Land off Hermitage Park, Lepton, Huddersfield, HD8 0JU

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Site Description

The application site forms part of a wider site (HS3 – land southeast of Hermitage Park) allocated for residential development in the Kirklees Local Plan. It is largely as per the description provided in section 2.0 of the committee report (dated 06/04/2023) for application 2022/91735, although the application site red line boundary was amended under application 2025/90105, and now includes a smaller area.

The site's physical context has not significantly changed since application 2022/91735 was considered and determined, although work has commenced on part of the adjacent allocated site (HS2 – land adjacent to Penistone Road / Woodsome Park). On 20/06/2025, a Tree Preservation Order (13/25/w1) was confirmed, covering the entirety of Lepton Great Wood (the ancient woodland adjacent to the application site).

Description of Proposal

Reserved Matters approval is sought for a residential development of 80 dwellings. The Reserved Matters under consideration are appearance, scale and landscaping (access and layout were considered and approved at outline stage under application 2022/91735 and the subsequent Section 73 application 2025/90105).

Regarding the Reserved Matter of appearance, the applicant has submitted plans and elevations of all house types, illustrating the intended architecture, fenestration, roof forms, materials and other details. Details of lighting and street scenes have also been submitted.

Regarding the Reserved Matter of scale, the applicant has submitted drawings confirming the proposed height, width and length of each building, and updated site layout plans. Street scenes and sections have also been submitted, confirming how each building would relate to its surroundings.

Regarding the Reserved Matter of landscaping, the applicant has submitted landscaping plans, details of levels and boundary treatments, a Landscape Management Plan, and details of the development's public open spaces, as

well as information relating to trees and the proposed Local Equipped Area of Play (LEAP).

Under this application, the applicant is not proposing to change the previously-approved site layout. The number of units, unit size mix, and affordable housing (locations, sizes and tenures) would also not change.

Outline permission 2022/91735 (as amended by 2025/90105) was approved with 42 planning conditions. Of those, four conditions required the submission of specific information as part of the subsequent Reserved Matters application. Those conditions are:

- Condition 6: public right of way and footpath treatment
- Condition 7: finished floor and ground levels
- Condition 8: lighting design strategy
- Condition 9: boundary treatment to Lepton Great Wood

Details pursuant to these conditions have been submitted with this Reserved Matters application.

Relevant Planning History

HS3 site:

2022/91735 – Outline planning permission (with access and layout) granted 10/11/2023 for the erection of 80 dwellings and associated works. Concerned northern part of HS3 site. Permission granted subject to Section 106 agreement.

2025/90105 – Section 73 approval issued 29/08/2025 for variation of conditions 6 (PROW), 9 (boundary treatment), 38 (bin collection), 40 (car parking) and 41 (access) of previous outline permission 2022/91735.

2025/91700 – Discharge of Conditions application – outline conditions 16 (C(E)MP) and 34 (highway improvement works) of previous outline permission 2022/91735. Pending decision.

HS2 site (adjacent):

2020/92307 – Outline planning permission (with access) granted 15/12/2023 for residential development (up to 75 units). Concerned the majority of western part of HS2 site. Permission granted subject to Section 106 agreement.

2024/90058 – Reserved Matters approved 12/06/2025 (pursuant to outline permission 2020/92307) for the erection of 67 dwellings.

Various Discharge of Conditions applications, an advertisement consent application, a Non-Material Amendment application and a Section 73 application have been, or are being, considered in relation to the HS2 site.

History of negotiations/amendments received

The applicant sought pre-application advice in late 2024. Written preapplication advice was issued on 11/12/2024 (ref: 2024/21158), the main points of which (of relevance to the current Reserved Matters application) included:

- A Section 73 application (varying the previous outline permission) and a Reserved Matters application could not be considered simultaneously.
- Sections needed at Reserved Matters stage to confirm levels and clarify relationships with properties to the north.
- Proposed general approach to landscaping is acceptable, but is indicative. Technical details, including levels, tree pit designs, proposed species and planting densities, would be required.
- Landscaping and Biodiversity Net Gain proposals should align.
- Boundary treatment details needed. Instead of hedgerows, a combination of hedge and knee rail would be appropriate between public open spaces and private curtilages.
- Window arrangements of some house types (including Baymont and Lockton), specifically the offset and unaligned first floor front windows, and the blank areas of walling, are not supported.
- Stone heads and cills are required for all windows, on front and rear elevations.
- Flat roofs to entrance canopies and bay windows should be avoided.
- Utility and EVCP boxes should be sited on side elevations.
- Solar panels flush with roof slopes are welcomed. Details of locations needed.
- All dwellings should comply with the Nationally Described Space Standard.
- Use of Newlay Calder Buff Pitch artificial stone acceptable for most of the site. Natural stone required for plots 1, 2, 3, 12 and 32.
- Material samples may need to be viewed on site.
- For the boundary to Lepton Great Wood, a post and rail fence would be climbable and of lower strength and would not prevent unfettered access into the woodland and ecological harm. A retained and repaired dry stone wall would have greater aesthetic benefits and would be preferred, unless an agreeable third solution can be reached. Information regarding the impacts of rebuilding the existing wall would be considered at application stage in consultation with KC Trees. Retained or repaired dry stone wall would not require new or additional animal crossing points.
- Landscaping that forms a highway verge could be adopted. Landscaped areas which happen to be next to the highway but which serve no highway function would not be adopted.

- For drainage basins, bank gradients of 1:3 are expected where depth of water would not exceed 1m during the 1 in 100 event.
- Regarding outline condition 6, proposed and diverted public rights of way should be at least 2m wide (or wider, if existing public right of way is recorded as such), hard surfaced, usable by all, and drained. Due regard should be given to long-term management and maintenance, which would be the responsibility of the management company.
- Lighting is not required along the public right of way.

On 04/04/2025, officers provided advice regarding what would need to be submitted at Reserved Matters stage in relation to heritage impacts.

During the life of the current Reserved Matters application, the case officer and the applicant team attended weekly online meetings.

On 22/08/2025 the case officer requested updated drawings (to correspond with those of Section 73 application 2025/90105), a PDF of the Biodiversity Metric, documents relating to outline conditions 6 and 7, and annotations regarding condition 9 and the boundary treatment to Lepton Great Wood. Documents relating to outline conditions 6 and 7 were again requested on 29/08/2025, as was an amended application form. Documents relating to outline conditions 6 and 7 were again requested on 12/09/2025.

Consultee responses were forwarded to the applicant team during the life of the application. On 22/09/2025, the case officer suggested how the West Yorkshire Police Designing Out Crime Officer's comments could be addressed. On 30/10/2025, the case officer requested updated drawings to ensure the proposals were consistent across the submission.

Various submissions were made by the applicant team in response to the above requests, to other requests made at meetings, and to consultee responses. Most recently, on 29, 30 and 31/10/2025 and 03/11/2025 the applicant team submitted various drawings and documents to address consultee comments. On 04/11/2025 a complete suite of house type drawings (40 in number, including resubmissions of drawings that did not need amending) was submitted, showing heads and cills to the front, side and rear elevations of all dwellings. On 05/11/2025 a further eight revised plans were submitted, as was a revised Landscape Management Plan. On 07/11/2025 the applicant team confirmed that a "rev B" version of a drawing relating to the proposed Local Equipped Area of Play should be considered (instead of the submitted rev A).

Representations

The application has been advertised via three site notices posted on 30/08/2025 and a press notice published on 12/09/2025. This is in line with

the council's adopted Statement of Community Involvement. The end date for publicity was 03/10/2025.

The council's advertisement of the application noted that this is a major development that affects a public right of way and the setting of a listed building.

Nine representations were received in response to the council's consultation. The points raised in the representations are summarised as follows:

- Risk to ancient woodland.
- Importance of ancient woodlands noted.
- Ancient woodland buffer is inadequate. 15m is the bare minimum. 15m minimum is to avoid root damage only, whereas other impacts extend beyond this distance. Previous 20m buffer has been reduced to 15m. Buffers should be 50m-100m wide. Other authorities require wider buffers. Woodland Trust and Forestry Commission expect 50m minimum buffer from canopies. Wider buffer needed where a site is close to residential property, to protect woodland and wildlife, and to retain character of area. Buffer provides insufficient protection to tree cover. Buffer needs to consist of semi-natural habitats. Other authorities have published guidance regarding buffers.
- NPPF states that development resulting in the loss or deterioration of irreplaceable habitats should be refused.
- Range of species within woodlands is ecologically and historically significant and deserves maximum protection.
- No attempt being made to make good the woodland wall boundary.
- Buffer should be a no-activity zone.
- Proposals would encourage human footfall across the woodlands.
- Unmanaged access risks fly-tipping, dumping of garden waste, trampling, disturbance, removal of timber, vandalism, reductions in or elimination of species diversity and abundance, increased predation, and escape of invasive plants.
- Risks relating to tree removal, root damage, overhanging branches, shade, leaf litter, debris drop and fears of breaking/falling trees.
- Kirklees Council encourages increases in woodland cover and effective management of existing woodlands.
- Clarity needed regarding hedging and use of plants.
- Hedgerows proposed under shade of tree canopies would not grow.
- Green belt should not be developed.
- Local infrastructure is inadequate to support the development. Schools are at capacity. Surgeries and dentists are full.
- Increased traffic. Rowley Lane is congested, noisy and used by speeding vehicles.
- Increased pollution.
- Kirklees Council does not listen to local residents.

On 07/10/2025 the Kirkburton Parish Council confirmed that no parish councillors provided comments on the application.

Members for Almondbury ward were notified of the application, however no comments were received in response.

Consultation Responses

KC Conservation and Design – The immediate setting of Crow Trees would not be impacted, and there would be a neutral impact. Less than substantial harm would be caused to Woodsome Hall, however the submitted detail is satisfactory, and the public benefit would outweigh the harm. Harm to the hall would be limited and mitigated through the landscaping, layout, scale and appearance proposed. Natural stone and slate at site entrance welcomed. Natural stone lintels, sills and details elsewhere welcomed. Good quality artificial stone in buff colour, and good quality slate, encouraged. To reduce the impact of the appearance of the houses within the heritage and landscape setting, solar panels could be set within rectangular (rather than stepped) blocks, and white fascia boards could be omitted.

KC Ecology – Information provided regarding condition 8 (lighting design strategy) is reasonable and acceptable. The requirements of the condition have been met.

KC Highways Development Management – Service road leading to the sub/pumping station will need kerbing across the front, as its not to be adopted, and there should be a dropped crossing and private drive arrangement. Forward visibility splays around some of the proposed bends is insufficient and would need to be a minimum of 23 metres for a shared surface carriageway. Dimensions of visibility splays should be added to drawings. Junction visibility splays should be added to the turning heads. Only visitor parking laybys parallel to the carriageway will be adopted, and these must be a minimum of 2.4m x 6m. Parallel parking bays adjacent public open space, walls, boundaries or shared surface carriageway must be surrounded by a minimum 1m wide hardstanding to enable safe entry and exit of the occupants. Stage 1 Road Safety Audit required in advance of planning permission being granted.

KC Highways Structures – Outline conditions 6, 7, 8 and 9 do not relate to highway structures.

KC Landscape – Commented as follows:

- Street trees – The submitted Landscape Management Plan only covers 14 of the proposed street trees for replacement if they were to fail. The frontline trees proposed in residents' gardens are not covered by the

LMP. The LMP includes nothing re: replacement in the first five years (which would help ensure establishment of tree and shrub planting).

- Community orchard – Query if this can have an inclusive accessible path so that those with less mobility can enjoy it, and to ensure it is more accessible other than at fruit collection time (such as when visitors might want to walk through or close to it to enjoy the blossom). Seats with arm rests and backs would be a great welcome addition too, to increase dwell time in this proposed public open space.
- Species – A lot of the species proposed for the evergreen hedgerows are ranked as critical on the Natural England list of species which could potentially be invasive. Where these are proposed within the development this is less of a risk, however they should not be proposed close to the ancient woodland and the eastern boundary. Invasive non-native species pose a significant threat to biodiversity in Britain. When submitting detailed landscape proposals, the preference is for species which are native, fruit bearing species, where appropriate.
- Native, thorny hedgerows along the ancient woodland boundary – Temporary protective fencing/chespale fencing would aid establishment.
- On-site open space – KC Landscape saw a detailed play areas plan (from Victoria Wilkinson of Kompan) in March. This should be included in the submission (along with details of litter bins etc), and referred to in the LMP (which should also cover bin emptying etc). The submitted public open space typologies plan incorrectly suggest that there is currently to council requirement re: outdoor sports.
- Landscape Management Plan – The submitted LMP appears to cover most matters, however it does not confirm the replacement of planting for a minimum of five years for the entire scheme. The LMP should explicitly state this, and should also cover/commit to:
 - Maintenance of the approved landscaping scheme for five years after completion.
 - Include:
 - Seasonal maintenance for SuDS features, retained vegetation, slopes, woodlands.
 - Management of play/educational spaces and RoSPA safety inspections where relevant.
 - Implement monitoring and remedial measures, including:
 - Replacement of failed or diseased trees, shrubs, hedgerows, planting, equipment, surfacing, and site furniture within five years.
 - Any tree, shrub, or hedge that dies or is removed must be replaced with similar size and species unless approved by the Local Planning Authority for five years after completion.
 - Ensure compliance with planning conditions and Section 106 obligations for public open space and contributions.
 - Ensure litter bins are shown on the plans and are included in the schedule for emptying for the lifetime of the scheme.

KC Lead Local Flood Authority – No comment regarding scale, appearance and landscaping. For the piped system (replacing the previously-proposed swale) at the eastern edge of the site, land around the inlet at the north end must be shaped so any flow from a watercourse to the rear of existing properties is channelled toward the inlet.

KC Public Rights of Way – The amended drawings address the earlier concerns.

KC Trees – No comments received pursuant to the Reserved Matters¹.

KC Waste Strategy – Outline-stage concerns regarding the locations of bin collection points for plots 14/15 and 48/49 have not been addressed.

Mining Remediation Authority (formally the Coal Authority) – No objection.

West Yorkshire Police Designing Out Crime Officer – Knee-high rail could be used as a climbing aid into adjacent plots, and should not be weight-bearing. Railing and hedge to plot 53 would create an unoverlooked alleyway, and adjacent fence could be used to scale the boundary. 1.2m hedgerows should be reduced to 1m to maintain clear sight lines. Query if safety measures are proposed around attenuation basins. Proposed lighting strategy is not supported – lux levels are insufficient and proposed street lighting would create numerous dark areas. Designs of Greyford, Denford, Cherrystone and Denstone house types would create opportunities for crime – redesigns or lighting and CCTV would be required to address concerns.

Yorkshire Water – No objection. Water supply can be provided from Hermitage Park. Conditions recommended regarding separate drainage systems for foul and surface water, and satisfactory surface water outfall. Generic advice provided regarding sewer adoption, and evidence that the drainage hierarchy has been followed.

Planning Policy and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27/02/2019).

Relevant planning policy and guidance is referred to in the committee report (dated 06/04/2023) for application 2022/91735. That policy and guidance landscape remains largely unchanged since that committee report was

¹ Due regard should be given to the KC Trees provided pursuant to Outline applications ref. 2022/91735 and 2025/90105, which notably included the consideration of 'layout'.

published, however further versions of the National Planning Policy Framework have been published since then (the most recent having been published on 12/12/2024, amended 07/02/2025), and Biodiversity Net Gain has become mandatory under the Environment Act 2021. The council has also published the Kirklees Interim Housing Position Statement to Boost Supply (2023).

The following documents are also considered relevant to the current application:

- Kirklees First Homes Position Statement (2021)
- Social Value Policy (2022)

It remains the case that there is no draft or adopted neighbourhood plan which carries material weight in the decision-making process for this application.

Assessment

The principle of development, and the matters of access and layout, were previously considered under applications 2022/91735 and 2025/90105, and need not be revisited under this current application.

As set out at paragraph 006 (Reference ID: 14-006-20140306) of the Government's online guidance, the matters of access and layout are defined as follows:

- Access – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- Layout – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

The following assessment concerns:

- Masterplan
- Reserved Matter: appearance
- Reserved Matter: scale
- Reserved Matter: landscaping
- Other matters
- Representations
- Conditions
- Conclusion

Masterplan

In accordance with the requirements of the relevant Local Plan site allocations, applications for development at allocations HS2 and HS3 are required to be supported by a masterplan. The “Lepton Sites HS2 & HS3 Masterplan Document” (rev E) was submitted and subsequently approved under outline permission 2022/91735. Rev H of that document was approved under Section 73 application 2025/90105. This Reserved Matters application relates to an area identified in the masterplan as Phase 2, i.e., the northeastern part of site allocation HS3. This Reserved Matters application will be considered in the context of the approved masterplan, where relevant.

The Lepton Sites HS2 & HS3 Masterplan Document (rev H) includes a Design Code which, along with high-level commentary, illustrates character areas. For the part of the HS3 site to which this current Reserved Matters application relates, “spine road” and “internal” character areas are identified, and key expectations for these areas are illustrated. These expectations (where relevant to the appearance, scale and landscaping Reserved Matters currently under consideration) are summarised as follows:

Spine road character area

- Slate roofs and stone to face walls of house.
- Use of more contemporary, urban features such as flat-roofed dormers.
- Generally 2-storey development, with some 2.5-storey and 3-storey homes to key locations.
- Metal estate railings to front boundaries.
- Boulevard of trees to grass verge.
- Driveways in different material, potentially block paved.

Internal character area

- Slate roofs and stone to face walls of house.
- Generally 2-storey development, with some 2.5-storey homes to key locations.
- Some front gardens to have feature planting.
- Front gardens generally lawned with no boundary treatment.
- Some use of short terraces (maximum four dwellings), with opportunities for front driveways. Elsewhere, the majority of driveways should be to the side of dwellings.

The masterplan additionally proposes roofs that “take traditional pitched forms, while reflecting the variety within the local area, including features such as gables and dormer windows”. It adds that the roofscape should sit amongst an extensive landscape infrastructure linking in to existing natural features. Page 25 refers to the retention of key existing mature landscape features including tree lines and hedgerows which will help to anchor the development in the rich existing landscape.

At page 31, the masterplan addresses open space, and refers to a network of open spaces linked by footpaths and green corridors. It states that the open spaces will vary in size and function, including:

- *An extensive green corridor adjacent to Lepton Great Wood running for 600m, the length of the site, creating a buffer and green edge to the development as the landscape transitions to countryside;*
- *A wide recreational open space in HS3 with views across the valley toward Woodsome Hall, maintaining visual connections with Lepton Great Wood;*
- *Open space in front of the listed building on Rowley Lane;*
- *Green space on the wooded slopes between HS2 and HS3, linking to the woodland edge of the site;*
- *Extensive green space along Penistone Road, to maintain the semi-rural approach to Lepton from the south and a separation from the listed building on Woodsome Road; and*
- *Numerous smaller more intimate spaces for amenity and recreation.*

The masterplan adds that the green spaces will be a combination of amenity greenspaces and semi-natural greenspaces, and that play areas will be provided (as LEAPs).

Under the heading “Natural Environment and Heritage Assets”, the masterplan repeats some of the above, stating that preliminary ecological appraisals and heritage impact assessments have informed the masterplan by:

- *Proposing green corridors to link ecological areas;*
- *Protecting areas of high biodiversity value;*
- *Providing an area of open space around the listed Crow Trees property on Rowley Lane;*
- *Retaining open space on Penistone Road to set the development back from the listed property on Woodsome Road;*
- *Introducing a large area of open space within HS3 to allow for uninterrupted views to/from Woodsome Hall and a better understanding of the heritage asset, while maintaining visual connections with Lepton Great Wood; Improving biodiversity on site where possible, using the green corridors and maximising additional native planting on site;*
- *Maintaining an extensive green corridor adjacent to Lepton Great Wood running for 600m, the length of the site, creating a buffer and green edge to the development as the landscape transitions to countryside;*
- *Creating green space on the wooded slopes between HS2 and HS3, linking to the woodland edge of the site;*
- *Maintaining an existing public footpath from the north of the HS3 site through Lepton Great Wood to Birch Avenue;*

- *Creating a network of interconnected open spaces and tree lined streets that together will create green infrastructure linking to Lepton Great Wood, the valley of Beldon Brook and the wider countryside.*

In general, officers are satisfied that the details submitted under this current Reserved Matters application adhere to the masterplan expectations set out above. Some deviations from masterplan expectations are proposed (for example, front boundary treatments are proposed to many plots, and these would not be metal railings), however these are considered justified, they are not considered to be significant or problematic, and they would not undermine the aims and objectives of the masterplan. Where relevant, these deviations are considered further in the relevant sections of this report.

Reserved Matter: appearance

As set out at paragraph 006 (Reference ID: 14-006-20140306) of the Government's online guidance, the matter of appearance is defined as follows:

- Appearance – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

The following table summarises the key design elements of each of the proposed house types:

House type	Number	Typology	Height (storeys)	Roof form	Garage
Baymont	6	Semi or Terraced	2	Hipped	None
Beauwood	6	Detached	2	Pitched	Detached
Braxton	8	Detached	2	Hipped	None
Cherrystone	6	Detached	2	Hipped	Integral
Delmont	3	Terraced	2	Hipped	None
Denford	12	Detached	2	Hipped	Integral
Denstone	9	Detached	2	Hipped	Integral
Gr(a/e)yford	7	Detached	2	Pitched	Detached
Homesford	5	Detached	2	Pitched	Detached
Lockton	5	Semi	2	Hipped	None
Portstone	2	Detached	2	Hipped	Detached
Sandalwood	2	Detached	2	Hipped	Detached
Torwood	2	Semi	2	Hipped	None
Whitton	7	Detached	2	Pitched	None

Of the 80 dwellings within the development, 64 would be detached, six would be semi-detached, and 10 would be terraced. This typology mix was fixed under the previous Section 73 application (2025/90105), and has not changed

under the current application. 22 dwellings would have detached garages, 27 would have integral garages, and 31 would have none. 25 dwellings would have pitched roofs and 55 would have hipped roofs. There would also be further variations in roof shapes and silhouettes, provided by gable features. Elevationally, the proposed dwellings would include features reflective of traditional Pennine vernacular, and would vary from the relatively simple Baymont and Whitton house types, to the Denstone dwellings which would have two front gable features and a bay window. Given these features and variations, and given that 14 house types are proposed for the 80 dwellings, it is considered that there would be sufficient variety and visual interest in the proposed street scenes and roofscapes, and the development would not have a monotonous appearance. This is further confirmed by the two street scenes illustrated in drawing 22:5611:06 rev B. Furthermore, the proposed typology mix and roof forms would help the development reflect the site's existing context, where there are detached dwellings (and a few semi-detached and terraced dwellings) with hipped and pitched roofs.

A similar approach to typology, massing and elevational treatment has recently been accepted (under application 2024/90058) for a nearby part of the adjacent HS2 site, where most dwellings would be detached or semi-detached, with one short terrace proposed. Although no hipped roofs are proposed in that development, pitched roofs and gable features are proposed. A mix of integral and detached garages, and dwellings without garages, are also proposed at that site, and elevations are to include features reflective of traditional Pennine vernacular.

Section 5.6.2 of the submitted Design and Access Statement confirms that all dwellings would have heads and cills to their front elevations. The Design and Access Statement correctly notes that "These are features which are predominant within the area, and their inclusion would enhance the appearance of these proposed units". Heads and cills, however, were not proposed to the rear elevations of 47 dwellings "within the central core of the site". This was contrary to the written preapplication advice issued on 11/12/2024 (ref: 2024/21158), and was considered unacceptable, as it would have resulted in a significant number of dwellings having poorly-detailed rear elevations where fenestration was not clearly defined and was not suitably reflective of the fenestration of existing dwellings in the surrounding area.

To address the above concern, on 04/11/2025 a complete suite of house type drawings (40 in number, including resubmissions of drawings that did not need amending) was submitted by the applicant, showing heads and cills to the front, side and rear elevations of all dwellings. Annotations on the Materials Layout (drawing 22:5611:03 rev H) were similarly updated on 05/11/2025.

For the avoidance of doubt, heads are not required at first floor level where the tops of windows would meet the eaves. Officers also did not ask for heads

and cills to be provided for small side windows (such as the side first floor landing window to the proposed Lockton dwellings), however the applicant has proposed heads and cills to all side elevations regardless. This is considered acceptable, given heads and cills are proposed on all other elevations.

Decorative door surrounds are proposed to front doors set flush within front elevations. This is considered appropriate. Recesses are proposed to the front entrances of other dwellings (such as the Gr(a/e)yford and Denford house types), which would add further relief and visual interest to the proposed elevations, and is considered appropriate (notwithstanding the crime prevention concerns discussed later in this report).

The elevational composition and fenestration arrangements of the proposed dwellings is considered acceptable. First floor windows would generally align with the doors and windows below, with no large expanses of blank masonry proposed where windows would be expected.

Concerns were raised by officers regarding the front elevations of the Baymont house type (where a large expanse of blank masonry was proposed above the front door) and the Lockton house type (where a first floor window was not aligned with the ground floor windows below). These concerns were eventually resolved through the submission of amended drawings on 31/10/2025. A 3-pane window (aligned to the 3-pane window at ground floor level) has been added to the first floor front elevations of the Lockton units. This results in a better-ordered elevation, and although there is an expanse of blank masonry above the front door, as this is repeated in the attached dwelling (Lockton units are semi-detached), the symmetry across the pair reduces its effect. Similarly, at plots 38 and 39 (where a Lockton unit is to be attached to a Baymont unit), a degree of symmetry has been introduced in the amended elevations, adequately addressing the above concern. Where three Baymont units are proposed in a short terrace (at plots 58, 59 and 60), the repetition of the expanse of blank masonry above the front door helps to limit its effect.

The submitted Materials Layout (drawing 22:5611:03 rev H) confirms that, for the five dwellings adjacent to the site entrance at Hermitage Park, natural stone walls and slate roofs are proposed. For the other 75 dwellings, reconstituted stone walls and concrete roof tiles are proposed.

A similar approach to materials has recently been accepted (under application 2024/90058) for a nearby part of the adjacent HS2 site, where natural stone is to be used along the frontage to Penistone Road, and artificial stone would be the main material within the site.

For the five dwellings adjacent to the site entrance at Hermitage Park, the proposed use of natural stone and slate is considered appropriate. This

accords with the officer advice set out in the letter dated 11/12/2024 (ref: 2024/21158) regarding plots 1, 2, 3, 12 and 32. The acceptability of these materials is subject to details (of sources and/or quarries) and samples being provided at conditions stage.

For the development's other 75 dwellings, the use of a high-quality reconstituted stone and a high-quality concrete roof tile is considered acceptable in principle. Newlay Calder Buff Pitch artificial stone was suggested by the applicant team at pre-application stage (and this material is again referred to at section 5.6.1 of the current Design and Access Statement) – this is considered acceptable for most of the site, however full details and a sample of this material would need to be provided at conditions stage, to enable comparison with the other materials proposed. Details and samples of the proposed roof tiles would also need to be submitted.

Full details of other external materials (including those of heads, cills, doors, windows, rainwater goods and paving) have not been submitted. These details would also need to be submitted at conditions stage. It would be appropriate for details of all external materials to be submitted at the same time, to enable assessment of how the materials would complement each other and the materials of existing buildings nearby. The suggestion of KC Conservation and Design regarding the omission of white fascia boards would be considered further at conditions stage.

As noted under the previous Section 73 application (2025/90105), there would be no detached affordable dwellings, and all of the terraced and semi-detached dwellings would be affordable. This risks making the development's affordable element distinguishable from the market element. However, it is noted that elevational treatments would be similar or common across the tenures, that some of the market dwellings – like the affordable units – would not have garages, and that different materials are not proposed for each tenure. The visual differences between the development's tenures would therefore be made less obvious.

The West Yorkshire Police Designing Out Crime Officer (WYP DOCO) expressed concern that the designs of the Gr(a/e)yford, Denford, Cherrystone and Denstone house types would create opportunities for crime, and requested redesigns or lighting and CCTV to address these concerns. Rather than amend the designs (which, it is accepted, would reduce the relief to, and visual interest of, the front elevations of these dwellings), the applicant has submitted a document titled "Woodsome View, Lepton – External Lighting" (Miller Homes, October 2025). This includes product information for the external luminaires the applicant intends to install adjacent to the front doors of the dwellings. These are considered acceptable in design terms, and would help to address the crime concerns raised by the WYP DOCO.

Solar panels are proposed to roofslopes, although full details of their locations and numbers have not been submitted. Section 5.6.2 of the submitted Design and Access Statement notes that solar panel provision would vary from plot to plot, and that it would be appropriate to submit a site-wide solar panel layout plan at conditions stage. An appropriate condition is duly recommended. In the meantime, having regard to the comments of KC Conservation and Design, it is considered that the installation of solar panels at this site can be accepted in principle, if they are installed flush with the roofslopes within which they would be set (as is suggested by the submitted elevations, which show no raised profile of the panels), and if they are designed to limit reflective glare (as is suggested at paragraph 4.20 of the submitted Built Heritage Statement). The suggestion of KC Conservation and Design regarding grouping the panels within rectangular (rather than stepped) blocks is noted, however this would mean the number of panels (and their contribution towards powering the development using renewable sources of energy) would be reduced, and in any case the visual impact of the glare-limited panels is not considered to be so great as to warrant amendment. For plots 38 and 39, where a Baymont dwelling and a Lockton dwelling would form a semi-detached pair, an asymmetrical arrangement of panels has been illustrated – it is accepted that this is a result of the two house types being of different widths, and it is noted that such an asymmetrical arrangement is only proposed at one location within the development.

Three drawings of garages (single, twin and double) have been submitted. These would have simple, windowless elevations and hipped roofs. The submitted Materials Layout plan indicates that the garages would be built of the same materials as the dwellings that they would serve. The appearance of the proposed garages is considered acceptable, as are their locations, and it is additionally noted that providing 22 dwellings with detached garages would help ensure the development's streetscape is not unacceptably dominated by car parking.

No plan or elevations of the electricity substation (adjacent to plot 3) have been submitted (although the submitted Materials Layout indicates that it would be built of the same materials as the adjacent dwelling), nor have details (namely a plan, elevation and section, including details of any boundary treatment) been submitted for the proposed pumping station. On 30/10/2025, the applicant team asked if these outstanding details could be secured by condition.

Paragraph 6.6 of the submitted Planning Statement refers to heat pumps. While the applicant has not confirmed that air source heat pumps would be provided for the dwellings of the proposed development, it is quite possible that they will be. The use of air source heat pumps – while welcomed – has design implications. The external components of air source heat pumps can vary in size, however a unit of 1.5m x 1.2m x 0.8m (resembling an external air conditioning unit) is fairly typical. These can usually be installed on rear

elevations (below windowsill level), with enough space maintained around them to ensure they function well. To ensure such units are indeed located discretely to avoid visual harm, a condition is recommended requiring the submission of relevant details.

The Government's definition of the Reserved Matter of appearance includes lighting. Under this application, although the applicant has submitted a Lighting Impact Assessment primarily to address the requirements of outline condition 8 (which was imposed "To avoid indirect impacts to bats and other local species in the interest of ecological mitigation, to mitigate and protect against crime, and to comply with Policies LP24 and LP30 of the Kirklees Local Plan"), information included in that document can be referred to when assessing the development's appearance. The outdoor lighting proposals would comprise luminaires mounted on 6m high columns, which would help to give the development's streets an appearance typical of a suburban area, albeit with some darker areas appropriately proposed in light of biodiversity considerations. Appropriately (and in accordance with pre-application advice), no lighting is proposed along the new and diverted paths within the development's open spaces.

Boundary treatments are primarily of relevance to the Reserved Matter of landscaping, however they also have implications for the appearance of a development, and therefore require some consideration here.

The submitted Boundary Treatment Plan (drawing 22:5611:04 rev J) generally shows evergreen hedges to front boundaries (or, in several cases, no front boundary treatment), 1.8m high timber fences to rear boundaries, and a combination of 1.5m high railings and hedges to side plot boundaries that abut the public realm. A 2m high acoustic fence is proposed along part of the site's northern boundary (where it abuts the rear gardens of existing properties on Rowley Lane). 0.6m knee high rails are proposed between roads and open spaces. A 1.2m post and rail fence is proposed where the application site meets the remainder of allocated site HS3. Deciduous hedges are proposed along the eastern edge of the development, and in other locations. The collapsed dry stone wall between the application site and Lepton Great Wood would be retained but not rebuilt.

These proposed boundary treatments are considered acceptable in terms of their impact on the development's appearance. The resulting street scenes would be relatively green (due to the inclusion of significant hedging), typical 1.8m fencing would be restricted to less visible locations, and the other proposed boundary treatments would have limited visual impact.

The proposed boundary treatments (and the retaining walls proposed by the applicant) are considered further in relation to the Reserved Matter of landscaping, later in this report.

Overall, in relation to the Reserved Matter of appearance, the submitted details are considered acceptable. The development would sit comfortably within the site's context, would be of a suitably high quality, and would appear attractive, while harmonising adequately with the established built and natural environment. A high level of compliance with the Design Code in the Lepton Sites HS2 & HS3 Masterplan Document (rev H) would be achieved. Relevant chapters of the NPPF would be complied with, as would policy LP24 of the Kirklees Local Plan, and the relevant design principles set out in the council's Housebuilders Design Guide SPD.

Reserved Matter: scale

As set out at paragraph 006 (Reference ID: 14-006-20140306) of the Government's online guidance, the matter of scale is defined as follows:

- Scale – the height, width and length of each building proposed within the development in relation to its surroundings.

The widths and lengths of the proposed dwellings have already been fixed at outline stage under applications 2022/91735 and 2025/90105 (site and plot layouts were approved under those applications). The current application now provides details of the heights of the proposed dwellings, and enables an assessment of massing (which is determined by the previously-fixed widths and lengths, and the now-provided height information) to be carried out.

The submitted Design and Access Statement correctly notes that the prevailing character of the area surrounding the application site is 2-storey. The Lepton Sites HS2 & HS3 Masterplan Document (rev H) recognised this context, and indicated that development across the two allocated sites should generally/predominantly be 2-storey in height.

Given the site's context, the masterplan expectation, and the potential for impacts on heritage assets, it is considered that the 2-storey heights proposed across the site are appropriate. The massing of the proposed dwellings would be typical of a suburban development, and would be reflective of the some of the existing development close to the application site. Overall, the proposed massing would not result in overdominant built form, and there would be an acceptable balance of buildings and undeveloped space across the site. Of note, a similar approach to heights has recently been accepted (under application 2024/90058) for a nearby part of the adjacent HS2 site, where two storeys were proposed for most of the dwellings.

Policy LP24(b) of the Kirklees Local Plan advises that proposals should provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings. With height and levels information now under consideration, an assessment of the amenity impacts of the development can now be completed (an initial

assessment, based on 2-dimensional layout plans and separation distances, was previously undertaken at outline stage).

The proposed layout would not change under the current proposals, nor would separation distances between proposed and existing dwellings and between dwellings within the application site. The proposed 2-storey dwellings would have typical roof forms and gable features which would not result in unusually significant massing at higher levels. No windows are proposed above eaves level. The ground levels and finished floor levels information provided in the Levels Strategy drawing 1223-001 rev A and in the Proposed Site Sections drawing 22:5611:07 rev B confirm that no additional separation distance (beyond that set out in the council's Housebuilders Design Guide SPD and/or at paragraphs 10.62 to 10.66 of the committee report for application 2022/91735) would be needed to ensure the amenities of existing and future residents are maintained.

All of the proposed dwellings would benefit from being dual aspect, and would have satisfactory outlook, privacy and natural light.

The heights of the proposed boundary treatments are considered acceptable in relation to visual and amenity impacts. The recommended condition removing permitted development rights for boundary treatments (discussed later in this report) would have the additional benefit of protecting the amenities of existing and future residents.

With details of scale (including numbers of storeys) now under consideration, it is appropriate to assess the sizes of the proposed residential units, to ensure the amenity of future occupiers and the quality of the proposed units would be adequate. The sizes of the proposed residential units are a material planning consideration. Local Plan policy LP24 states that proposals should promote good design by ensuring they provide a high standard of amenity for future occupiers, and the provision of residential units of an adequate size can help to meet this objective. The provision of adequate living space is also relevant to some of the council's other key objectives, including improved health and wellbeing, addressing inequality, and the creation of sustainable communities. Although the Government's Nationally Described Space Standards (March 2015, updated 2016) (NDSS) are not adopted planning policy in Kirklees, they provide useful guidance which applicants are encouraged to meet and exceed, as set out in the council's Housebuilder Design Guide SPD. NDSS is the Government's clearest statement on what constitutes adequately-sized units.

An initial assessment of unit sizes was set out at outline stage in paragraphs 10.70 to 10.72 of the committee report for application 2022/91735. However, house types have since been revised, and scale (and, therefore, the number of storeys) is now known. A re-assessment is therefore appropriate. At page 41 of the submitted Design and Access Statement and at paragraph 4.22 of

the submitted Planning Statement the applicant has confirmed that the proposed dwellings would be NDSS-compliant. This has been verified by officers, using the sqft floorspace figures (converted to sqm, and assumed to be GIA) provided on Site Layout drawing 22:5611:01 rev AA.

House type	Bedrooms	Height (storeys)	Size (sqm)	NDSS minimum (sqm)
Baymont	2	2	79	70
Beauwood	4	2	128	97
Braxton	2	2	93	70
Cherrystone	3	2	120	84
Delmont	2	2	70	70
Denford	5	2	152	110
Denstone	3	2	127	84
Gr(a/e)yford	5	2	165	110
Homesford	5	2	146	110
Lockton	3	2	93	84
Portstone	3	2	113	84
Sandalwood	4	2	132	97
Torwood	4	2	106	97
Whitton	2	2	88	70

All the proposed dwellings exceed the NDSS minimums.

It remains the case that every dwelling would be provided with adequate private outdoor space, commensurate with the size of the dwelling.

Overall, in relation to the Reserved Matter of scale, the submitted details are considered acceptable. The proposed heights and massing would help the development sit comfortably within the site's context, and would ensure no materially harmful impacts in relation to outlook, privacy or natural light would occur. This is concluded having due regard to the topography of the site and its surroundings, which is not so severe to prejudice this assessment. Adequate amenity for existing and future residents would be provided.

A high level of compliance with the Design Code in the Lepton Sites HS2 & HS3 Masterplan Document (rev H) would be achieved. Relevant chapters of the NPPF would be complied with, as would policy LP24 of the Kirklees Local Plan, and the relevant design principles set out in the council's Housebuilders Design Guide SPD.

Reserved Matter: landscaping

As set out at paragraph 006 (Reference ID: 14-006-20140306) of the Government's online guidance, the matter of landscaping is defined as follows:

- Landscaping – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;

Of the drawings and documents submitted with this application, the following are of particular relevance to the Reserved Matter of landscaping:

- Landscape Proposals sheet 1 (drawing 22:5611:101 rev K)
- Landscape Proposals sheet 2 (drawing 22:5611:102 rev K)
- Landscape Proposals sheet 3 (drawing 22:5611:103 rev K)
- Levels Strategy (drawing 1223-001 rev A)
- POS Typologies Plan (drawing 22:5611:105 rev K)
- Boundary Treatment Plan (drawing 22:5611:04 rev J)
- LEAP plan (drawing CAS-381726-W2S4D8 rev B)
- Eastern Boundary Land Drain and Boardwalk Details (drawing 1223-139 rev D)
- Landscape Management Plan (JRP, 22 5611 rev E, November 2025)
- Arboricultural Survey Report (Smeeden Foreman, SA 21376, rev I, October 2025)

Due to the extent of soft landscaping and open space proposed, and due to the proposal to retain trees, the development will have a greener appearance and character than many other recent residential developments. Key landscape features include the ancient woodland buffer along the site's eastern edge, the east-west green swathe (and the retained trees) at the centre of the site, and the proposed hedging to plots. Street trees are also proposed. These measures would help to soften the visual impact of the development (including in relation to the settings of heritage assets), and would assist the transition between the existing urban edge and the ancient woodland and Green Belt to the east.

The proposed use of hedging (in addition to 1.5m railings, at some plots) is particularly welcomed. The proposed hedges would help create green streetscapes, and may assist habitat connectivity and provide shelter and food for birds and insects. Native, mostly-deciduous hedges are proposed towards the east end of the site (nearest to the ancient woodland) and adjacent to the development's open spaces, and the submitted Landscape Proposals drawings confirm that these would be of field maple, hazel, hawthorn, holly, blackthorn and elder. Elsewhere, evergreen hedges are proposed to plots – these would include oleaster, sweet box, Kew broom, Christmas berry and holly olive. Although the majority of evergreen hedges would comprise non-native species, this aspect of the proposals is considered acceptable, given the extensive native planting that is also proposed. It is also noted that the proposed evergreen hedges would provide year-round

greenery, and have ornamental qualities. Three potentially invasive species (Portuguese laurel, garden privet, box-leaved honeysuckle) were deleted from the proposals in the latest drawings – although these species had been proposed away from the ancient woodland, officers raised a concern that their use could introduce or increase risks of garden waste being dumped in the ancient woodland, which in turn could result in those species becoming established in this sensitive area.

The West Yorkshire Police Designing Out Crime Officer (WYP DOCO) raised concerns regarding the proposed knee-high railings being used as a climbing aid into adjacent plots, and advised that these should not be weight-bearing. However, for safety and maintenance reasons, it is considered that these should not be collapsible, and the case officer suggested that they simply be deleted or replaced with hedgerows at the plots identified by the WYP DOCO (plots 4, 11, 39 and 71). The latest Boundary Treatment Plan (rev J) has been amended accordingly.

The WYP DOCO also expressed concern that the railing and hedge proposed to plot 53 would create an unoverlooked alleyway, and that the adjacent fence could be used to scale the boundary. The case officer subsequently asked if the fence could be moved closer to the hedge (mirroring what is proposed at plot 52), however the applicant intends to safeguard the strip of land to the side of the dwelling (it would not form part of the curtilage of plot 53) to enable the future provision of a footway here (should one be needed to support development of a later phase to the southwest), and the proposed hedge was therefore moved and shortened instead. Interim soft landscaping is now proposed for the strip. This addresses the crime concern, and is considered acceptable. The strip would be managed and maintained by the management company, as is confirmed by the orange shading in the plan at appendix A of the Landscape Management Plan (rev E).

The WYP DOCO advised that 1.2m hedgerows should be reduced to 1m to maintain clear sight lines. This is considered to be a detailed maintenance issue that does not require further consideration under this Reserved Matters application.

Hedges are also proposed within the ancient woodland buffer. These hedges would have a different species mix to those proposed elsewhere, with more emphasis on thorny native species, as they are intended to discourage new routes being trodden into the ancient woodland to the east. The thorny hedges would be provided in two rows in places, and would have temporary 1m high post and wire protective fence erected alongside them – this would be retained for a period of three years while the hedges establish. The applicant has confirmed that the hedges would be planted prior to occupation of 75% of the dwellings, and although earlier planting would be preferable (to minimise risks of new routes being trodden), the applicant's proposal accords with the timings specified in the relevant Section 106 agreement.

One representation raised a concern regarding the proposed planting beneath the tree canopy (at the edge of Lepton Great Wood), stating that new plants would not grow in this location. However, while tree canopy shading is noted, new plants along this boundary would receive at least some natural light from the west. Species such as holly and hawthorn can grow in partial shade. There is also evidence along this site boundary of relatively recent hedgerow planting, which does not appear to have failed. Furthermore, the proposed landscape management arrangements include a commitment to replace any plants that fail within the first five years, and it is again noted that temporary post and wire fencing is proposed to help the hedges establish.

The proposed street trees would be Italian alder along the estate road off Hermitage Park, with field maple proposed further into the site. Rowan, hawthorn, hornbeam, Norway maple and Turkish hazel are also proposed adjacent to the development's streets. These species are considered acceptable. Having regard to Green Streets principles and the requirements of NPPF paragraph 136, a greater number of street trees would have been preferred, however it is noted that many other trees within the application site are to be retained, and that the proposed hedgerows would provide extensive greenery within the development's streets. Regarding management of street trees, the submitted Landscape Management Plan confirms that only 14 of the street trees would be planted on land that would be the responsibility of the management company. Other street-adjacent trees would be within residential curtilages. In response to officers' concerns regarding this matter, the applicant amended the submission documents to confirm that all trees and plants will be replaced for a period of five years from the date of planting. An appropriate condition securing this maintenance period is also recommended.

English oak, sessile oak, whitebeam, wild cherry, downy birch, silver birch, alder and other native species are proposed elsewhere within the site. The trees to be planted within the ancient woodland buffer would mostly be English oak, and this is considered appropriate given the species already present within Lepton Great Wood.

Given the importance of the proposed hedges to the acceptability of the development (including the acceptability of a limited provision of street trees), a condition is recommended, removing permitted development rights regarding boundary treatments. This would help ensure the beneficial hedges are not replaced with walls, fences or other boundary treatments that make less of a contribution towards the development's visual amenity and biodiversity. For the same reasons, the removal of permitted development rights regarding outbuildings within residential curtilages is also recommended.

One representation has referred to a "Kirklees Trees and Woodlands Strategy and Action Plan", however no such document has been adopted by the

council. A fourth draft of a document with that title has been viewable online, but it does not carry weight as a material planning consideration. A later document, titled “Council Owned Trees and Woodlands” concerns trees on council-owned land.

The previous Section 73 application 2025/90105 provided the applicant with an opportunity to further discuss, and to finesse details, of the buffer, new path, drainage and boundary treatment along the eastern edge of the application site. Those discussions involved officers from KC Trees, KC Public Rights of Way, KC Landscape, KC Highways Development Management, KC Conservation and Design and the Lead Local Flood Authority. An acceptable scheme was eventually devised, as illustrated in the site layout (drawing 22:5611:01 rev V), the Arboricultural Impact Assessment 1 of 2 (drawing 21376 SFH XX XX DR L AIA01 rev F) and other documents considered under the previous Section 73 application. These showed:

- A culverted swale along the edge (but outside) the 15m buffer.
- A path along (but within) the 15m buffer. This was shown as a boardwalked path for the stretch running north-south. For the stretch running southwest-northeast, the site layout plan (rev V) suggested a mown grass surface, however other drawings showed the path surfaced with gravel (held in place by a cellular confinement system). The boardwalked stretch was proposed outside the root protection area of the ancient woodland’s trees, however parts of the gravel-surfaced stretch were shown overlapping it.
- Two connections from the new path into Lepton Great Wood – some drawings showed one boardwalked (connecting to the part of public footpath KIR/85/10 that runs east-west through Lepton Great Wood), the other gravel-surfaced (where public footpath KIR/259/10 extends into Lepton Great Wood). However, the site layout plan (rev V) showed these as mown grass in accordance with discussions with officers, with the southern connection drawn slightly further south to align with an existing opening in the adjacent dry stone wall.
- Connections between the new path and other paths and estate roads within the proposed development were shown.
- The existing dry stone wall along the edge of Lepton Great Wood was shown retained.

The landscaping drawings now submitted under this current Reserved Matters application adhere to what was approved under application 2025/90105, but correct earlier inconsistencies regarding path surfaces. These landscaping drawings confirm that the stretch of path running southwest-northeast would be surfaced with gravel (held in place by a cellular confinement system), and that the two connections from the new path into Lepton Great Wood would be mown grass.

The gravel surface along east-west stretch of path was proposed by the applicant in response to concerns raised by KC PROW on 15/09/2025 regarding the accessibility of the previously-proposed mown path. While a

mown grass or boardwalked path may be preferable in terms of minimising impacts within the ancient woodland buffer, it is noted that paragraph 5.6.4 of the submitted Arboricultural Survey Report states “The ‘No dig’ construction gravel path will protect tree roots and minimise the impact and disturbance in the buffer zone”.

The landscaping information includes acceptable proposals for the on-site Local Equipped Area for Play, in accordance with advice provided directly to the applicant team in February and March 2025.

The public open space quanta have not changed from those approved under the previous Section 73 application 2025/90105. With reference to the typologies set out in the council’s Open Space SPD, the proposed quanta are:

- Amenity Greenspace – 8,998sqm
- Children and Young People – 2,417sqm
- Natural and Semi-Natural – 8,886sqm
- Allotments and Community Food Growing – 513sqm

On 07/11/2025 the applicant team confirmed that a “rev B” version of a drawing relating to the proposed Local Equipped Area of Play (LEAP) should be considered (instead of the submitted rev A). That later revision of the drawing had been prepared as part of an earlier direct exchange (in February/March 2025) between the applicant’s playspace equipment provider and KC Landscape.

It is considered that the details of play equipment and surfaces set out in that drawing (CAS-381726-W2S4D8 rev B) are acceptable, and enable officers to confirm that the 2,417sqm of open space identified by the applicant as being “Children and Young People” space can indeed be accepted as such.

KC Landscape made other comments regarding the proposed landscaping and its management and maintenance. These comments were relayed to the applicant team, and the Landscape Management Plan was amended in response. A proposed picnic table was added adjacent to the development’s community orchard, to further facilitate enjoyment of this feature.

In addition to the hedges discussed above, the applicant proposes the following boundary treatments:

- 1.8m high timber fences to rear boundaries.
- 1.5m high railings (with hedges) to side plot boundaries that abut the public realm.
- 2m high acoustic fence along part of the site’s northern boundary (where it abuts the rear gardens of existing properties on Rowley Lane).
- 0.6m knee high rails between roads and open spaces.

- 1.2m post and rail fence where the application site meets the remainder of allocated site HS3.
- Collapsed dry stone wall between the application site and Lepton Great Wood (retained but not rebuilt).

These proposed boundary treatments are considered acceptable in terms of their impact on the development's appearance. Typical 1.8m fencing would be restricted to less visible locations, and the other proposed boundary treatments would have limited visual impact.

A minor deviation from the expectations of the Lepton Sites HS2 & HS3 Masterplan Document (rev H) is proposed where front boundary treatments are shown to many plots. These would not be metal railings. This deviation is, however, considered to be justified, and is not considered to be significant or problematic. It would not undermine the aims and objectives of the masterplan.

The proposals for the collapsed dry stone wall to Lepton Great Wood are assessed later in this report in relation to outline condition 9.

Retaining walls are proposed throughout the site, as illustrated in the submitted Levels Strategy (drawing 1223-001 rev A). These would be up to 1.5m in height, which is not considered problematic.

Although the retaining walls are not illustrated in the applicant's Boundary Treatment Plan (drawing 22:5611:04 rev J), it is understood that boundary treatments would be installed above the retaining walls, which – in some locations – could result in significant total heights. For example, a retaining wall of up to 1.5m is proposed between plots 15 and 16, upon which a 1.8m timber fence is proposed. The resulting feature (of up to 3.3m in height) is likely to be visible from existing neighbouring properties to the north on Rowley Lane, although the 2m high acoustic fence along part of the site's northern boundary would partly screen this feature from views.

It is noted that retaining walls are not an uncommon feature of the borough, and are often a necessary feature needed to enable the development of sites. Most of the proposed retaining walls would be within rear gardens, reducing their prominence and visibility from public vantagepoints. On their own, none of the proposed retaining walls would be so tall as to raise concerns regarding visual impacts. In some locations, the combined heights of the proposed retaining walls and the boundary treatments above could result in these features appearing overbearing, however these locations are few in number and would be partly screened by other boundary treatments. Overall, the proposed retaining walls and boundary treatments would not be visually prominent or harmful, and would not adversely affect outlook or natural light to a significant degree.

An updated Biodiversity Metric was submitted with this Reserved Matters application. This indicates that the proposed landscaping would help enable the development to achieve a 54.17% increase in on-site habitat units and a 105.63% increase in on-site hedgerow units (therefore, greater gains than were indicated at outline stage under application 2022/91735). This is welcomed. Further consideration of this matter would be undertaken at conditions stage, pursuant to outline condition 27.

In summary regarding the Reserved Matter of landscaping, it is considered that the proposals are acceptable, and have responded appropriately to officer advice and consultee comments. Many of the representations made by members of the public relate to landscaping matters (particularly in relation to Lepton Great Wood), however it is considered that there are no grounds for refusal of the application or for seeking further amendments. The proposed landscaping would help the development sit comfortably within the site's context (between the existing urban edge and the ancient woodland and Green Belt to the west). A high level of compliance with the Design Code in the Lepton Sites HS2 & HS3 Masterplan Document (rev H) would be achieved. Relevant chapters of the NPPF would be complied with, as would policies LP24, LP32 and LP33 of the Kirklees Local Plan, the council's Open Space SPD, and the relevant design principles set out in the council's Housebuilders Design Guide SPD.

Other matters

Impacts on heritage assets

The Grade I listed Woodsome Hall to the west of the application site derives some of its significance from its relationship with the surrounding land, including the application site. Appreciation of this heritage asset is affected by what is seen from it.

Closer to the application site, the Grade II listed Crow Trees derives some of its significance from the undeveloped space to its south. Site allocation HS3 recognises this, and stipulates that no development shall take place in the land adjacent to this heritage asset.

On 04/04/2025, officers provided the following advice regarding what would need to be submitted at Reserved Matters stage:

As access and layout would have already been fixed at outline stage, and given a Built Heritage Statement was submitted and considered at that stage, your forthcoming Reserved Matters application (which would cover appearance, landscaping, and scale) would need to include a supplement/addendum to that earlier BHS, providing commentary on whether those details affect the previous conclusions. It should particularly focus on materials (and whether they would stand out and catch the eye when viewed from Woodsome Hall, or would sit

comfortably/quietly in the landscape), building heights (especially if anything taller than two storeys is proposed, as these might catch the eye), and landscaping (given the need for trees and other planting to help soften the visual impact of the development). Details such as boundary treatments (note that, for example, stretches of 1.8m timber fencing can appear very prominent in long views) and elevational details (windows/doors/details/materials should avoid jarring features like white fascia boards/barge boards) should be considered in the commentary. The commentary should also cover any solar PV that might be proposed, given this could cause glare/reflection that might also be distracting in views. The commentary would need to refer to Crow Trees, as well as Woodsome Hall. A wireframe or CGI of the development (as it would be seen in the view from the terrace of Woodsome Hall) would be useful, but not essential.

Under the current proposals, the extent of the proposed built-up area would not (and could not) change, and dwellings of only two storeys are proposed. No new eye-catching or distracting materials are proposed under the current application. The use of stone and artificial stone is considered appropriate for this site in relation to the settings of heritage assets. Sufficient greenery is proposed amongst the dwellings. The submitted Built Heritage Statement addresses the appearance of (and glare from) PV panels. Boundary treatments and retaining walls are appropriately designed and located, and are unlikely to impact on long views. Regarding night-time impacts, it is noted that typical street lighting is proposed, as are darker areas (which, although proposed for ecological reasons, would have the additional benefit of limiting impacts on long views at night).

As noted earlier in this report, the suggestion of KC Conservation and Design regarding the omission of white fascia boards would be considered further at conditions stage. The suggestion regarding PV panels (namely, grouping them within rectangular (rather than stepped) blocks) is noted, however this would mean the number of panels (and their contribution towards powering the development using renewable sources of energy) would be reduced, and in any case the visual impact of the glare-limited panels is not considered to be so great as to warrant amendment.

KC Conservation and Design have stated that the immediate setting of Crow Trees would not be impacted by the proposed development, and there would be a neutral impact.

Regarding Woodsome Hall, KC Conservation and Design have stated that less than substantial harm would be caused, that this harm would be limited and mitigated through the landscaping, layout, scale and appearance proposed, and that the public benefit of the development would outweigh the harm.

Given the above assessment, it is considered that the submitted details are acceptable in relation to heritage matters and are compliant with relevant policies in the Local Plan (particularly policy LP35), with the NPPF, and with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Highways

The matters of access and layout were considered at outline stage. The drawings submitted under this current Reserved Matters application adhere to the details approved at outline stage under application 2022/91735 and the subsequent Section 73 application 2025/90105. Other matters which fall under the scope of “principle” (including traffic generation and sustainable travel), were likewise considered at outline stage and found to be acceptable.

Highways considerations are of most relevance to the matters of access and layout. There is, therefore, little reason for further assessment of highway considerations at this Reserved Matters stage. KC Highways Development Management (KC HDM) were, however, consulted at Reserved Matters stage, in case – for example – the submitted landscaping and levels information raised any new highways issues. That team also requested comments from the council’s Section 38 team.

The applicant submitted a General Arrangement drawing by Fortem (1223-135 rev B) under this Reserved Matters application, and later resubmitted an Internal Visibility Analysis drawing by Optima (13015/IN/19 rev A) that had previously been submitted under the Section 73 application 2025/90105. Both drawings include internal visibility information. The Fortem drawing attracted an objection (regarding splays) from the council’s Section 38 team, while the Optima drawing addressed the Section 38 team’s concerns. The applicant team have stated that the Fortem drawing is based on the earlier Optima drawing (and, therefore, the information therein should be common to both drawings), and on 06/11/2025 an overlay of the two drawings was submitted, however officers note that the Fortem drawing includes annotated dimensions, as well as details of a splay adjacent to the proposed pumping station, whereas the Optima drawing does not include this information.

Notwithstanding the above matters (which would need to be resolved before a submission is made pursuant to outline condition 19, and/or before a Section 38 technical approval is granted), for the purposes of this current Reserved Matters application, the applicant only needs to confirm that the landscaping now proposed does not cause unacceptable impacts in relation to highway safety and operation. Related to this, the council (as Local Planning Authority) needs to be certain that the proposed soft landscaping features are not likely to be deleted from the proposals (for highway-related reasons) at a later stage when further assessment (pursuant to outline condition 19 or a Section 38 technical approval application, for example) is carried out.

Neither KC HDM nor the council's Section 38 team have raised specific concerns regarding the soft landscaping now proposed. Of note, the hedges proposed as front boundary treatments would not intrude into the visibility splays shown in the Fortem and Optima drawings, nor would the proposed street trees.

During the life of the current Reserved Matters application, the council's Section 38 team requested the submission of a Road Safety Audit, but were subsequently satisfied when reference was made to the audit previously considered under application 2022/91735. No audit was requested under the Section 73 application 2025/90105, however if there is a remaining need for a further audit to be prepared (in response to the amended layout approved under application 2025/90105) and assessed, this would need to be done pursuant to outline condition 19 and/or a Section 38 technical approval application. It is considered that a Road Safety Audit does not need to be submitted under this current Reserved Matters application relating to appearance, scale and landscaping. Although a Road Safety Audit was submitted, it need not be listed in the council's decision letter relating to Reserved Matters.

Similarly, neither the Fortem nor the Optima drawings need to be referred to in the decision notice for this Reserved Matters application.

Full plans of detached garages and of house types with integral garages have been submitted under this Reserved Matters application, therefore an assessment of the adequacy of this parking provision is now appropriate.

The proposed detached double garages would have internal dimensions of 5.999m x 7.242m. Taking into account internal features, these would meet the 5m x 6m expectation set out at paragraph 5.15 of the council's Highway Design Guide SPD (the 1mm depth shortfall is not of concern).

The detached single garages would have internal dimensions of 3.06m x 6.004m, and the proposed detached twin garage would have internal widths of 3.001m and 3.008m. Taking into account internal piers, these garages are likely to fall short of the 3m width expectation set out in the SPD. However, the width shortfall would not be significant, and several models of vehicle could still be accommodated in these garages. At a meeting held on 04/11/2025 the applicant stated that car doors could still be opened within the garages, and that only a small proportion of the development's parking spaces would not achieve the expected 3m widths.

For those house types with integral garages, internal dimensions have not been provided on the submitted drawings, however measurements scaled from these drawings suggest that the garages of the Cherrystone and Denstone units would fall similarly short, and the double garages of the

Denford units could only be regarded as single garages due to the limited internal width. It is noted, however, that the Denford units are to have five bedrooms (which means they should have three off-street parking spaces, in accordance with the council's Highway Design Guide SPD), and that each of the 12 Denford units would indeed have space for parking two vehicles in their front driveways (in addition to the space for one vehicle within their garages).

It is also noted that KC HDM have not raised an objection to the sizes of the proposed garages.

Regarding visitor parking spaces, on 06/10/2025 the council's Section 38 team advised:

Only visitor parking laybys parallel to the carriageway will be adopted. These must be a minimum of 2.4m x 6m. Any other bays (echelon or perpendicular) or private bays will not be considered for adoption. Parallel parking bays adjacent [to] Public Open Space, walls / boundaries or shared surface carriageway must be surrounded by a minimum 1-metre-wide hardstanding to enable safe entry and exit of the occupants.

Although the above matter relates primarily to layout, it has implications for landscaping. In response to the comments of the council's Section 38 team, the applicant amended some of the development's visitor parking spaces. For example, the three parking bays to the side of plots 9 and 10 now have a wider footway and a repositioned hedge next to them.

The details currently under consideration do not undermine the potential for developments at the HS2 and HS3 sites to be internally connected.

Drainage and flood risk

Flood risk and drainage arrangements were assessed at outline stage, and relevant conditions were applied.

At this current Reserved Matters stage, the Lead Local Flood Authority (LLFA) confirmed they had no comment regarding scale, appearance and landscaping.

The LLFA raised a query regarding the piped system (replacing the previously-proposed swale) at the eastern edge of the site, asking for assurance that the land around the inlet at the north end of the pipe would be shaped so any flow from a watercourse to the rear of existing properties would be channelled toward the inlet. The applicant responded to this query by submitting an Eastern Boundary Land Drain and Boardwalk Details drawing (1223-139 rev D) which included more details regarding levels around the north end of the pipe. On 28/10/2025 the LLFA stated that these details appeared to be acceptable.

Planning obligations

Obligations relating to the following matters were secured via a Section 106 agreement at outline stage (agreement dated 07/11/2023, amended by Deed of Variation dated 27/08/2025):

- Affordable housing
- Off-site open space contribution
- Education
- Sustainable travel
- Masterplanning
- Management and maintenance
- Footpath public access

Although some of the information submitted under this current Reserved Matters application is of relevance to the previously-secured planning obligations (in relation to on-site open space provision (which will inform what off-site open space contribution needs to be paid) and landscape management, for example), none of the information currently under consideration necessitates amendments or new planning obligations. A further Section 106 Deed of Variation is therefore not required at this Reserved Matters stage.

Crime prevention and safety

An appropriate condition is recommended regarding safety measures around attenuation basins. This is recommended in response to a query from the West Yorkshire Police Designing Out Crime Officer (WYP DOCO).

Other concerns raised by the WYP DOCO (including regarding boundary treatments) are addressed earlier in this report.

Overall, it is considered that the applicant team has given sufficient thought to crime prevention matters (having regard to other material planning considerations), and these aspects of the proposed development are considered to be sufficiently compliant with the relevant requirements of Local Plan policy LP24 and chapter 8 of the NPPF.

Waste

The applicant has amended the locations of the bin collection points for plots 14, 15, 48 and 49 to address an earlier concern expressed by KC Waste Strategy.

Representations

Nine representations were received in response to the council's consultation.

The majority of concerns raised relate to the adequacy of the ancient woodland buffer, and in particular its width. These matters were previously considered at outline stage. The details now under consideration do not affect the council's previous conclusions regarding the adequacy of the buffer.

Representations also expressed concern regarding activity within the buffer, however it is noted that a path through the buffer was previously approved at outline stage, and that details now under consideration (such as the thorny hedgerows) would in fact limit or discourage public access into and through much of the buffer.

Concerns were raised regarding the principle of development and its wider impacts. These were previously considered at outline stage.

Other concerns raised have been addressed in the above commentary.

Conditions

Outline permission 2022/91735 (as amended by 2025/90105) was approved with 42 planning conditions. These concerned:

- 1) Reserved Matters of appearance, landscaping and scale to be approved prior to commencement.
- 2) Implementation in accordance with approved Reserved Matters.
- 3) All Reserved Matters applications to be submitted by 10/11/2026.
- 4) Development to commence prior to two years from final approval of Reserved Matters.
- 5) Compliance with plans and specifications.
- 6) Reserved Matters application to include details of public right of way and footpath treatment.
- 7) Reserved Matters application to include details of finished floor levels and ground levels.
- 8) Reserved Matters application to include lighting design strategy.
- 9) Reserved Matters application to include details of boundary treatment to Great Lepton Wood.
- 10) Dust mitigation measures.
- 11) Tree protection measures.
- 12) Additional tree works.
- 13) Noise mitigation measures (windows).
- 14) Phasing plan.
- 15) Construction Environmental Management Plan: Biodiversity.
- 16) Construction (Environmental) Management Plan.
- 17) Temporary surface water drainage.
- 18) Road condition survey.
- 19) Adoptable internal estate roads.

- 20) Phase II intrusive site investigation report.
- 21) Remediation Strategy.
- 22) Unexpected contamination.
- 23) Validation Report.
- 24) Surface water attenuation within the highway.
- 25) Highway retaining walls/buildings.
- 26) Coal mining legacy remediation.
- 27) Biodiversity Enhancement and Management Plan.
- 28) Watercourse overflow swale.
- 29) Surface water discharge.
- 30) Flood routing.
- 31) Ventilation scheme.
- 32) Full Travel Plan.
- 33) Temporary waste storage and collection.
- 34) Highway improvement works – Hermitage Park / Rowley Lane.
- 35) Highway improvement works – Rowley Lane / Penistone Road.
- 36) Coal mining legacy declaration.
- 37) Electric vehicle charging.
- 38) Bin collection points.
- 39) Cycle parking.
- 40) Car parking specification.
- 41) Maintenance/emergency access.
- 42) Plant noise.

In light of the details submitted and omitted at Reserved Matters stage, further conditions are considered necessary regarding:

- 1) Compliance with plans and specifications.
- 2) Compliance with Arboricultural Survey Report.
- 3) No removal of vegetation during nesting season.
- 4) Removal of permitted development rights for outbuildings and boundary treatments.
- 5) Control of elevational accretions.
- 6) Details of retaining walls.
- 7) Details and samples of materials.
- 8) Details of electricity substation.
- 9) Details of photovoltaic panels.
- 10) Implementation of landscaping.
- 11) Provision of Local Equipped Area for Play.
- 12) Details of pumping station.
- 13) Details of any additional tree works.
- 14) Details of external air source heat pumps.
- 15) Details of safety measures at attenuation basins.

An initial list of conditions was shared with the applicant team on 31/10/2025. Amendments were subsequently made to conditions in response to the

applicant team's comments. At a meeting held on 04/11/2025, the applicant team confirmed that the conditions were agreed.

Of the 42 conditions imposed at outline stage, four conditions required the submission of specific information as part of the subsequent Reserved Matters application. Those conditions are:

- 6) Public right of way and footpath treatment.
- 7) Finished floor levels and ground levels.
- 8) Lighting design strategy.
- 9) Boundary treatment to Lepton Great Wood.

Although a document titled "Report to Discharge Conditions 8, 15 and 27" has been submitted under this application, the applicant has not formally applied to discharge outline conditions 15 and 27.

Outline condition 6 states:

6. Plans and particulars relating to the Reserved Matters of landscaping, notwithstanding the submitted information, shall include details of the treatment of Public Right of Way KIR/85/10 and the proposed footpath as shown on plan ref 22:5611:01 rev V. The details shall include full sections, construction specifications, drainage works, surface finishes, treatment of sightlines, and a timetable for implementation. Thereafter the development shall be undertaken in accordance with the approved details, and shall be implemented in accordance with the approved timetable.

Reason: *In the interest of promoting alternative methods of travel and connectivity, in accordance with Policy LP21 of the Kirklees Local Plan.*

The following drawings and documents are of relevance to outline condition 6:

- Landscape Proposals sheet 1 (drawing 22:5611:101 rev K)
- Landscape Proposals sheet 2 (drawing 22:5611:102 rev K)
- Landscape Proposals sheet 3 (drawing 22:5611:103 rev K)
- Levels Strategy (drawing 1223-001 rev A)
- Boundary Treatment Plan (drawing 22:5611:04 rev J)
- LEAP plan (drawing CAS-381726-W2S4D8 rev B)
- Eastern Boundary Land Drain and Boardwalk Details (drawing 1223-139 rev D)
- Landscape Management Plan (JRP, 22 5611 rev E, November 2025)
- Arboricultural Survey Report (Smeeden Foreman, SA 21376, rev I, October 2025)

The Eastern Boundary Land Drain and Boardwalk Details drawing (1223-139 rev D) includes sections and details of construction, surfaces and drainage of paths at the east end of the application site. The Arboricultural Survey Report

includes details of the boardwalked and gravel-surfaced sections of path. The Landscape Management Plan confirms that the paths at the east end of the site would be within the areas for which the management company would be responsible. Other drawings detail the routes of the paths across the application site. As regards timing, as the paths are within the development's areas of public open space (where they are not to be public highway), the relevant works would need to be completed prior to occupation of 75% of the dwellings, in accordance with the timings specified in the relevant Section 106 agreement.

On 17/10/2025, KC Public Rights of Way confirmed that their earlier concerns (regarding the surface and accessibility of the east-west section of path adjacent to Lepton Great Wood) had been addressed.

Given the above assessment, it is recommended that the details submitted pursuant to outline condition 6 be approved, subject to the applicant being reminded of the further requirements of the condition, which are:

Thereafter the development shall be undertaken in accordance with the approved details, and shall be implemented in accordance with the approved timetable.

Outline condition 7 states:

7. Plans and particulars relating to the Reserved Matters of landscaping and/or scale, notwithstanding the submitted details, shall include details of finished floor levels and ground levels. Thereafter, the development shall be completed in accordance with the approved levels details.

Reason: *To ensure acceptable final ground and floor levels, in the interest of visual and residential amenity and to comply with Policy LP24 of the Kirklees Local Plan.*

Condition 7 was imposed for visual and amenity reasons. The submitted Levels Strategy (drawing 1223-001 rev A) is referred to earlier in this report in relation to neighbour amenity and the visual impacts of retaining walls. Given that other changes to levels within the application site would be limited, no further assessment in relation to outline condition 7 is necessary, and it is recommended that the submitted details be approved, subject to the applicant being reminded of the further requirement of the condition, which states:

Thereafter, the development shall be completed in accordance with the approved levels details.

Outline condition 8 states:

8. Plans and particulars relating to the Reserved Matters of landscaping, notwithstanding the submitted information, shall include a lighting design strategy. The strategy shall:

- Identify those areas / features on site that are particularly sensitive for local species and that are vulnerable to disturbance in, or around their breeding sites and resting places, or along important routes used to access key areas of their territory, for example, for foraging;*
- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and*
- Detail how appropriate lighting would be installed to mitigate and protect against crime.*

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances shall any other external lighting be installed on dwellings facing either Lepton Great Wood or areas of Public Open Space without prior consent from the Local Planning Authority.

***Reason:** To avoid indirect impacts to bats and other local species in the interest of ecological mitigation, to mitigate and protect against crime, and to comply with Policies LP24 and LP30 of the Kirklees Local Plan.*

The applicant has submitted a Lighting Impact Assessment (BWB, HPL-BWB-ZZ-XX-E-RP-0001_LIA rev P1, 02/12/2024) pursuant to outline condition 8. The submitted document confirms that the outdoor lighting proposals would comprise luminaires mounted on 6m high columns. Details of the proposed luminaires, column locations and lux levels are included in the document. Sensitive receptors are identified in relation to ecology, and the proposed lighting has been designed accordingly. A second document, titled "Report to discharge conditions 8, 15 and 27" (SLR, 424.065417.00001, rev 2, 04/08/2025) draws on the BWB report.

In comments dated 03/09/2025, KC Ecology advised that the requirements of condition 8 had been met, and that the submitted information was reasonable and acceptable.

Outline condition 8 was also imposed for crime prevention reasons. The proposed street lighting, and the domestic lighting detailed in the document titled "Woodsome View, Lepton – External Lighting" (Miller Homes, October 2025), is considered appropriate, given that crime prevention considerations at this site need to be balanced against the ecological sensitivities of parts of the application site. Amendments are not recommended to address the West

Yorkshire Police Designing Out Crime Officer's concerns regarding lux levels and dark areas.

Given the above assessment, it is recommended that the details submitted pursuant to outline condition 8 be approved, subject to the applicant being reminded of the further requirements and stipulations of the condition, which are:

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances shall any other external lighting be installed on dwellings facing either Lepton Great Wood or areas of Public Open Space without prior consent from the Local Planning Authority.

Outline condition 9 states:

9. Plans and particulars relating to the Reserved Matters of landscaping, notwithstanding the submitted information, shall include details of boundary treatment along the site's boundary with Lepton Great Wood. This shall include a boundary treatment which prevents direct access into Lepton Great Wood by people except at the single point via Public Right of Way KIR/85/10, as shown on plan ref 22:5611:01 rev V. The details shall include provisions to allow access for wildlife throughout. The approved details shall be implemented prior to the occupation of the approved dwellings and shall thereafter be retained.

Reason: *To avoid indirect impacts to bats and other local species in the interest of ecological mitigation, to comply with Policy LP30 of the Kirklees Local Plan.*

During the life of the Section 73 application 2025/90105, extensive discussions took place regarding the buffer and the boundary treatment along the eastern edge of the application site. Officers from KC Trees, KC Public Rights of Way, KC Landscape, KC Highways Development Management, KC Conservation and Design and the Lead Local Flood Authority were involved in those discussions. The case officer and the applicant's representative visited the site on 07/04/2025, and noted the state of the collapsed wall and the remnants of timber posts and barbed wire. There were then subsequent discussions with KC Trees regarding the condition of the wall, the harm that would be caused by removing or rebuilding the wall, and the potential for an alternative solution (namely, thorny planting) to address concerns regarding people straying into (and harming) the ancient woodland. This further information and discussion informed the conclusion that the collapsed dry stone wall should not be removed or rebuilt, and that thorny planting should be proposed along this boundary. Accordingly, the applicant was advised:

- The collapsed dry stone wall along the application site's boundary should not be removed or rebuilt. Doing so would cause harm to the trees of the ancient woodland, and may result in losses of habitat.
- Barbed wire and wooden fence posts along this boundary should be carefully removed. Barbed wire that has been swallowed by tree trunks should not be pulled out – it should be snipped off (leaving wire within the trunk) and made safe.
- Thorny planting within the buffer should be proposed, to reduce risks of people finding and treading new routes into the ancient woodland, and causing damage to it.

On 22/08/2025 the case officer requested annotations to be added to the Boundary Treatment Plan regarding condition 9 and the boundary treatment to Lepton Great Wood, to reflect the above advice. These annotations were duly included.

Adequate native, thorny planting (intended to discourage new routes being trodden into the ancient woodland to the east) is proposed adjacent to the collapsed dry stone wall.

These measures are illustrated in the following drawings:

- Landscape Proposals sheet 1 (drawing 22:5611:101 rev K)
- Landscape Proposals sheet 2 (drawing 22:5611:102 rev K)
- Landscape Proposals sheet 3 (drawing 22:5611:103 rev K)
- Boundary Treatment Plan (drawing 22:5611:04 rev J)

Given the above assessment, it is recommended that the details submitted pursuant to outline condition 9 be approved, subject to the applicant being reminded of the further requirements of the condition, which are:

The approved details shall be implemented prior to the occupation of the approved dwellings and shall thereafter be retained.

Conclusion

The applicant has demonstrated that sufficient consideration has been given to the Reserved Matters of appearance, scale and landscaping, resulting in an acceptable development proposal that addresses relevant constraints and that would sit comfortably within its context. Relevant requirements of planning legislation and policy have been sufficiently met, as have relevant masterplan expectations.

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve Reserved Matters, subject to conditions

Report Dated: 07/11/2025

Application Number: 2025/92242

Decision Authorisation: Delegated Powers

Officer Recommendation: Approve

Conditions and Reasons

Compliance conditions

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted, to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

2. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in strict accordance with the measures (including those relating to hand excavation and arboricultural supervision) set out in the Arboricultural Survey Report (Smeeden Foreman, SA 21376, rev I, October 2025).

Reason: To ensure trees within and adjacent to the site, the adjacent ancient woodland (Lepton Great Wood) and associated land are protected during and after the construction period, in accordance with Policies LP24 and LP33 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

3. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless authorised in writing by the Local Planning Authority in response to evidence to be submitted in writing to the Local Planning Authority demonstrating that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Reason: To prevent significant ecological harm to birds, their eggs, nests and young and to accord with Policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

4. 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 with or without modification) no development included within Class E of Part 1 and/or Class A of Part 2 of Schedule 2 to that Order shall be carried out in any part of the development hereby approved without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected, to ensure biodiversity is protected, and to accord with Policies LP24, LP30, LP33 and LP35 of the Kirklees Local Plan and chapters 12, 15 and 16 of the National Planning Policy Framework.

5. Other than where indicated on the drawings hereby approved, and other than in relation to elevations not facing a highway, open space or green belt land, no cables, plumbing, foul pipes, vents, burglar alarm boxes, and/or CCTV cameras or related equipment and installations shall be located or fixed to any external elevation(s) of the development hereby approved. Should any such equipment or installations be considered necessary, details of these shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the details so approved.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

Pre-commencement conditions

6. Prior to the commencement of works, full details of all retaining walls (including elevations, sections, product sheets, details of external facing materials and drawings showing boundary treatments above the retaining walls) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the details so approved.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, in the interests of protecting residential amenity, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure details of retaining walls are agreed prior to relevant works being undertaken.

Pre-superstructure conditions

7. Prior to the commencement of superstructure works, details and samples of all the external facing materials to be used in the development hereby

approved shall be submitted to and approved in writing by the Local Planning Authority. The proposed details shall include natural stone and natural slate for plots 1, 2, 3, 12 and 32 (as numbered on Site Layout drawing 22:5611:01 rev Z). The development shall be implemented in strict accordance with the details so approved. No materials other than those approved in accordance with this condition shall be used.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

8. Prior to the commencement of superstructure works, full details (including plans, elevations and sections, and details of any boundary treatments) of the electricity substation shown on Site Layout drawing 22:5611:01 rev Z shall be submitted to and approved in writing by the Local Planning Authority. Construction of the electricity substation shall be carried out in strict accordance with the approved details prior to its first use and the electricity substation shall be retained as such thereafter for the lifetime of the development.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

9. Prior to the commencement of superstructure works, a site-wide plan detailing locations of all roof-level photovoltaic panels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the details so approved.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

Conditions subject to other triggers

10. Unless otherwise agreed in writing by the Local Planning Authority, the landscaping and public open spaces of the development hereby approved shall be completed in accordance with the details shown on the Landscape Proposals drawings 22:5611:101 rev J, 22:5611:102 rev J and 22:5611:103 rev J no later than prior to occupation of 75% of the dwellings hereby approved, and shall be fully planted within the first planting season after occupation of 75% of the dwellings hereby approved. Thereafter, all landscaped areas shall be managed and maintained in accordance with the Landscape Management Plan (JRP, 22 5611 rev D, November 2025). If, within a period of five years from the date of the planting of any tree/hedge/shrub, that tree/hedge/shrub or any replacement is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available

planting season, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the provision and establishment of an acceptable landscaping scheme, in the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan and chapters 12, 15 and 16 of the National Planning Policy Framework.

11. Unless otherwise agreed in writing by the Local Planning Authority, the Local Equipped Area for Play (LEAP) shall be installed in accordance with the details set out in drawing CAS-381726-W2S4D8 rev B no later than prior to occupation of 75% of the dwellings hereby approved, and shall thereafter be retained and maintained.

Reason: To ensure adequate provision of play equipment, in accordance with Policy LP63 of the Kirklees Local Plan.

12. Prior to the installation of any surface or foul water drainage infrastructure, full details (including plans, elevations and sections, and details of surface materials, any above-ground structures and any boundary treatments) of the pumping station shown on Site Layout drawing 22:5611:01 rev Z shall be submitted to and approved in writing by the Local Planning Authority. Construction of the pumping station shall be carried out in strict accordance with the approved details prior to its first use and the pumping station shall be retained as such thereafter for the lifetime of the development.

Reason: In the interests of visual amenity, to protect the setting of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and chapters 12 and 16 of the National Planning Policy Framework.

13. Details of any additional tree works required during the construction process that are not identified within the submitted information shall be submitted to and approved in writing by the Local Planning Authority prior to the work being carried out. The works shall thereafter be carried out in complete accordance with the approved details.

Reason: To protect trees that provide visual amenity value, and to comply with Policies LP24 and LP33 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

14. Prior to their installation, details of any external air source heat pump units to be provided as part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plans and specifications, shall confirm locations of the units, shall include screening measures where necessary, and shall include noise and maintenance information. The units shall be installed in accordance with the details so approved and shall be maintained in accordance with the details so approved thereafter.

Reason: In the interests of visual and residential amenity, and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and chapters 12 and 15 of the National Planning Policy Framework.

15. Prior to the commencement of ground works associated with the creation of the attenuation basins hereby approved, details of water safety measures around the attenuation basins shall be submitted to and approved in writing by the Local Planning Authority. The measures shall include provisions relating to hazard warning, accident prevention and rescue (including self-rescue). The development shall be implemented in accordance with the details so approved.

Reason: To help mitigate risks to public safety and to accord with Policies LP24 and LP47 of the Kirklees Local Plan and chapter 8 of the National Planning Policy Framework.

Discharge of Conditions

This application additionally seeks the discharge of conditions 6, 7, 8, and 9 of the previous outline permission 2022/91735 (as amended by the Section 73 approval 2025/90105).

Although a document titled “Report to Discharge Conditions 8, 15 and 27” has been submitted under this application, no formal request to discharge outline conditions 15 and 27 has been made.

The submissions made pursuant to outline conditions 6, 7, 8, and 9 are considered as follows:

Condition 6: public right of way and footpath treatment

The following drawings and documents are of relevance to outline condition 6:

- Landscape Proposals sheet 1 (drawing 22:5611:101 rev K)
- Landscape Proposals sheet 2 (drawing 22:5611:102 rev K)
- Landscape Proposals sheet 3 (drawing 22:5611:103 rev K)
- Levels Strategy (drawing 1223-001 rev A)
- Boundary Treatment Plan (drawing 22:5611:04 rev J)
- LEAP plan (drawing CAS-381726-W2S4D8 rev B)
- Eastern Boundary Land Drain and Boardwalk Details (drawing 1223-139 rev D)
- Landscape Management Plan (JRP, 22 5611 rev E, November 2025)
- Arboricultural Survey Report (Smeeden Foreman, SA 21376, rev I, October 2025)

Details set out in the above-listed drawings and documents are considered acceptable for the purposes of outline condition 6, and are hereby approved.

However, please be reminded of the further requirements of the condition, which are:

Thereafter the development shall be undertaken in accordance with the approved details, and shall be implemented in accordance with the approved timetable.

Condition 7: finished floor levels and ground levels

Details set out in the submitted Levels Strategy (drawing 1223-001 rev A) are considered acceptable for the purposes of outline condition 7, and are hereby approved. However, please be reminded of the further requirement of the condition, which states:

Thereafter, the development shall be completed in accordance with the approved levels details.

Condition 8: lighting design strategy

The following documents are of relevance to outline condition 8:

- Lighting Impact Assessment (BWB, HPL-BWB-ZZ-XX-E-RP-0001_LIA rev P1, 02/12/2024)
- Report to discharge conditions 8, 15 and 27 (SLR, 424.065417.00001, rev 2, 04/08/2025)
- Woodsome View, Lepton – External Lighting (Miller Homes, October 2025)

Details set out in the above-listed documents are considered acceptable for the purposes of outline condition 8, and are hereby approved. However, please be reminded of the further requirements and stipulations of the condition, which are:

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances shall any other external lighting be installed on dwellings facing either Lepton Great Wood or areas of Public Open Space without prior consent from the Local Planning Authority.

Condition 9: boundary treatment to Lepton Great Wood

The following drawings are of relevance to outline condition 9:

- Landscape Proposals sheet 1 (drawing 22:5611:101 rev K)
- Landscape Proposals sheet 2 (drawing 22:5611:102 rev K)
- Landscape Proposals sheet 3 (drawing 22:5611:103 rev K)

- Boundary Treatment Plan (drawing 22:5611:04 rev J)

Details set out in the above-listed drawings are considered acceptable for the purposes of outline condition 9, and are hereby approved. However, please be reminded of the further requirements of the condition, which are:

The approved details shall be implemented prior to the occupation of the approved dwellings and shall thereafter be retained.

NOTE: References to “(as amended)” documents in the plans and specifications schedule below reflect the amendments made under this application. Not all documents were (or needed to be) updated to reflect these amendments.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan	22:5611:02	Rev A	26/08/2025
Site Layout	22:5611:01	Rev AA	05/11/2025
Proposed Site Sections (as amended)	22:5611:07	Rev B	26/08/2025
Proposed Street Scenes (as amended)	22:5611:06	Rev B	26/08/2025
Baymont Plans and Elevations (plots 44-45)	22 5611 436	Rev A	04/11/2025
Baymont Plans and Elevations (plots 58-60)	22 5611 437	Rev A	04/11/2025
Baymont/Lockton Plans and Elevations (plots 38, 39)	22 5611 435	Rev A	04/11/2025
Beauwood Plans and Elevations (plot 32)	22 5611 413		04/11/2025
Beauwood Plans and Elevations (plots 23, 34, 42, 61)	22 5611 414	Rev A	04/11/2025
Beauwood Plans and Elevations (plot 10)	22 5611 415	Rev A	04/11/2025
Braxton Plans and Elevations (plot 3)	22 5611 425		04/11/2025
Braxton Plans and Elevations (plot 37)	22 5611 426		04/11/2025
Braxton Plans and Elevations (plot 78)	22 5611 427	Rev B	04/11/2025
Braxton Plans and Elevations (plots 4, 27, 62, 73)	22 5611 428	Rev A	04/11/2025
Braxton Plans and Elevations (plot 68)	22 5611 439	Rev A	04/11/2025

Plan Type	Reference	Version	Date Received
Cherrystone Plans and Elevations (plots 17, 57)	22 5611 416		04/11/2025
Cherrystone Plans and Elevations (plot 53)	22 5611 417		04/11/2025
Cherrystone Plans and Elevations (plots 5, 67)	22 5611 418	Rev A	04/11/2025
Cherrystone Plans and Elevations (plot 63)	22 5611 419	Rev A	04/11/2025
Delmont Plans and Elevations (plots 64-66)	22 5611 438	Rev A	04/11/2025
Denford Plans and Elevations (plot 56)	22 5611 404		04/11/2025
Denford Plans and Elevations (plots 11, 19, 41, 54)	22 5611 405		04/11/2025
Denford Plans and Elevations (plots 24, 69, 72, 77)	22 5611 406	Rev A	04/11/2025
Denford Plans and Elevations (plots 71, 74, 79)	22 5611 407	Rev A	04/11/2025
Denstone Plans and Elevations (plots 9, 18, 51, 55)	22 5611 420		04/11/2025
Denstone Plans and Elevations (plot 50)	22 5611 421		04/11/2025
Denstone Plans and Elevations (plots 43, 46, 75, 76)	22 5611 422	Rev A	04/11/2025
Greyford Plans and Elevations (plot 12)	22 5611 400	Rev A	04/11/2025
Greyford Plans and Elevations (plot 1)	22 5611 401	Rev A	04/11/2025
Greyford Plans and Elevations (plots 16, 21, 47)	22 5611 402	Rev A	04/11/2025
Greyford Plans and Elevations (plots 70, 80)	22 5611 403	Rev B	04/11/2025
Homesford Plans and Elevations (plots 20, 52)	22 5611 408		04/11/2025
Homesford Plans and Elevations (plot 49)	22 5611 409		04/11/2025
Homesford Plans and Elevations (plot 40)	22 5611 410	Rev A	04/11/2025
Homesford Plans and Elevations (plot 13)	22 5611 411	Rev A	04/11/2025
Lockton Plans and	22 5611 434	Rev B	04/11/2025

Plan Type	Reference	Version	Date Received
Elevations (plots 28-31)			
Portstone Plans and Elevations (plot 2)	22 5611 423		04/11/2025
Portstone Plans and Elevations (plot 33)	22 5611 424	Rev A	04/11/2025
Sandalwood Plans and Elevation (plots 22, 48)	22 5611 412		04/11/2025
Torwood Plans and Elevations (plots 7, 8)	22 5611 433		04/11/2025
Whitton Plans and Elevations (plot 14)	22 5611 429		04/11/2025
Whitton Plans and Elevations (plot 15)	22 5611 430		04/11/2025
Whitton Plans and Elevations (plots 25, 26)	22 5611 431	Rev A	04/11/2025
Whitton Plans and Elevations (plots 6, 35, 36)	22 5611 432	Rev A	04/11/2025
Single Garage	811109-150		08/08/2025
Twin Garage	811109-151		08/08/2025
Sales Garage	811109-152		08/08/2025
Materials Layout	22:5611:03	Rev H	05/11/2025
Boundary Treatment Plan	22:5611:04	Rev J	05/11/2025
Affordable Housing Plan	22:5611:08	Rev E	05/11/2025
Landscape Proposals sheet 1	22:5611:101	Rev K	05/11/2025
Landscape Proposals sheet 2	22:5611:102	Rev K	05/11/2025
Landscape Proposals sheet 3	22:5611:103	Rev K	05/11/2025
POS Typologies Plan	22:5611:105	Rev K	05/11/2025
Hermitage Park, Lepton LEAP	CAS-381726-W2S4D8	Rev B	07/11/2025
Eastern Boundary Land Drain and Boardwalk Details	1223-139	Rev D	21/10/2025
Levels Strategy	1223-001	Rev A	25/09/2025
Tree Protection Plan 1 of 2	21376 SFH XX XX DR L TPP01	Rev I	30/10/2025
Tree Protection Plan 2 of 2	21376 SFH XX XX DR L TPP02	Rev I	30/10/2025
Arboricultural Impact Assessment 1 of 2	21376 SFH XX XX DR L AIA01	Rev I	30/10/2025
Arboricultural Impact Assessment 2 of 2	21376 SFH XX XX DR L AIA02	Rev I	30/10/2025
Planning Statement (including Statement of	Johnson Mowat, JM240093,		08/08/2025

Plan Type	Reference	Version	Date Received
Community Involvement and Climate Change Statement) (as amended)	05/08/2025		
Response letter to consultee comments	Miller Homes, 29/10/2025		29/10/2025
Design and Access Statement (as amended)	JRP / Miller Homes, 01/05/2025	Rev A	08/08/2025
Built Heritage Statement	M B Heritage, May 2025		08/08/2025
Report to Discharge Conditions 8, 15 and 27	SLR, 424.065417.00001, 04/08/2025	Rev 2	08/08/2025
Biodiversity Metric	SLR, 04/08/2025	V2	27/08/2025
Landscape Management Plan	JRP, 22 5611, November 2025	Rev E	05/11/2025
Arboricultural Survey Report	Smeeden Foreman, SA 21376, October 2025	Rev I	30/10/2025
Lighting Impact Assessment	BWB, HPL-BWB-ZZ-XX-RP-E-0001_LIA, 02/12/2024	Rev P1	08/08/2025
Woodsome View, Lepton – External Lighting	Miller Homes, 22/01209/FUL, October 2025		06/10/2025
Proposed Residential Development Noise Impact Assessment	SLR, 403.065678.00001, 18/11/2024	Rev 01	13/08/2025

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 2015 and otherwise actively engaged with the applicant in dealing with the application.