

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR
CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION**

Reference No:	2025/44/92463/E
Site Address:	Land Adjacent Healey Junior and Nursery School, Healey Lane, Batley, WF17 8BN
Description:	Discharge of details reserved by condition 15 (external materials) and 16 (retaining materials) on previous permission 2024/91760 for erection of 19 dwelling houses with associated car parking, landscaping and boundary treatment and other associated associated works
Recommending Officer:	William Simcock

DECISION – Discharge of Condition – Approve

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Nick Hirst

AUTHORISED OFFICER

Date: 20-Feb-2026

Officer Report

Application: 2025/92463

Site: Land Adjacent Healey Junior and Nursery School, Healey Lane, Batley, WF17 8BN

Proposal: Discharge of details reserved by condition 15 (external materials) and 16 (retaining materials) on previous permission 2024/91760 for erection of 19 dwelling houses with associated car parking, landscaping and boundary treatment and other associated works

Assessment

Condition 15 (external materials)

15. Prior to the construction of any dwellings above foundation level, samples of all external materials and finishes to be used shall be submitted for the inspection of and approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: *In the interests of visual amenity, to preserve and enhance the character of the townscape and to accord with Policy LP24(a) of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.*

A document, Materials Schedule, reference 557.2405 P06, has been submitted (18/02/2025).

This specifies the following materials:

- Brickwork: Ibstock Ivanhoe Westminster
- Stone: Natural sandstone. Random lengths / 140mm high (Whitehall Stone - R type) from Whitehall quarry, HX3 9SZ.
- PermaRock silicone ULTRA K-Finish / R-Finish through- colour textured render, 'off white-20'
- Heads and cills: Wetcast stone, natural buff color
- Roof coverings: Sandtoft Danum TLE Thin Leading Edge Roof Tile, anthracite / dark grey
- UPVC Fascias finished in RAL 7015
- Manthorpe Linear Verge Flashing
- Guttering to be black deep flow half round with square plastic down pipes
- uPVC double glazed windows. Profile type TBC by contractor. Finished in RAL 7015
- External Doors to be Composite GRP. Spy holes and letter boxes (to Part Q / SBD). Irish Oak & Pebble Grey. Frame Ral 7015, white internally.
- Access road junction and footpaths to be tarmac
- Shared surfaces to be Marshals Buff. Herringbone pattern with edgings

- Other paving to be Marshall's Saxon buff.

In addition, the following details were submitted:

- i. A further email (30/10) providing confirmation that the stone used will be tumbled but not dyed;
- ii. An email from the stone supplier confirming that the stone sample that appears in the photograph is type R.

It is considered that the proposed materials are suitable for the proposed development, considering how they would appear in the context of established development in the vicinity of the site. It is therefore recommended that they be approved.

The condition has an ongoing requirement, a note of which is recommended to be included on the decision notice.

Condition 16 (retaining materials)

16. Prior to construction work commencing on any new retaining walls within the site, details shall be submitted to and approved in writing by the Local Planning Authority of the facing materials for the retaining walls. All retaining walls within the site shall be constructed using the approved materials before any new dwelling is occupied, and thereafter retained as such.

Reason: *In the interests of visual amenity, to preserve and enhance the character of the townscape and to accord with Policy LP24(a) of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.*

The retaining walls to which this condition refers are shown on the approved plans adjacent to Plots 1, 2, 6 and 7, mainly on their eastern side with returns to the north and south. These are not highway retaining walls and therefore the original permission was not subject to a condition requiring a technical Approval in Principle for the walls.

Condition (16) was imposed solely for reasons of appearance, since officers assessing the proposal were not convinced that the timber facing proposed at the time would be aesthetically pleasing or contribute towards delivering a high-quality development.

The following details have been submitted:

- Materials Schedule, reference 557.2405 P06
- A plan, entitled Levels Strategy, reference 24106-DCE-XX-XX-D-C-155 P05, with written annotations.

The plan indicates that most of the retaining walls would consist of king posts with concrete infill, with two small sections (where the difference in levels is

400mm or less) being flags on edge. There is a small section ringed in blue which is annotated "masonry retaining wall". An email from the agent (17/02/2026) confirms that this part is also to be king posts and concrete infill.

The Materials Schedule referred to above (revision P05) confirms that the king posts would be finished in RAL7015 (matching the proposed window frames) with the concrete panel infill finished in PermaRock Silicone ULTRA K-Finish / R-Finish through-colour textured render in 'Ginster 10', a grey-buff render.

It is considered that given the scale, siting and prominence of the proposed retaining walls, these materials and finishes would be acceptable and would be a significant improvement on the timber-faced walls originally proposed.

It is recommended that the details be approved. The construction of the retaining walls using the approved materials before the occupation of any new dwelling will ensure compliance with the initial requirements of the condition. As the condition has an ongoing requirement it cannot be discharged in full. It is also recommended that the decision notice include a note of this ongoing requirement.

Recommendation: Approve details

Report Dated: 18/02/2026

Proposed Letter Text

Condition 15 (external materials)

You have submitted the following:

- Materials Schedule, reference 557.2405 Revision P05, (17/02/2025)
- An email (30/10/2025) providing confirmation that the stone used would be tumbled but not dyed
- An email (03/11/2025) from the stone supplier confirming that the stone sample that appears in the photograph is type R.

The proposed materials as set out in the Materials Schedule and supporting information are acceptable and are hereby approved.

Notwithstanding the above, be aware that the condition has the following ongoing requirement, which must be adhered to, to ensure continued compliance:

The development shall be carried out in accordance with the approved details.

Condition 16 (retaining materials)

You have submitted the following:

- Materials Schedule, reference 557.2405 P06
- A plan, entitled Levels Strategy, reference 24106-DCE-XX-XX-D-C-155 P05, with written annotations.

The proposed materials and finishes (king posts with concrete infill panels, finished in RAL 7015 and 'Ginster 10' through-coloured render, respectively) are acceptable and are hereby approved.

The construction of the retaining walls using the approved materials before the occupation of any new dwelling will ensure compliance with the initial requirements of the condition.

Notwithstanding the above, be aware that the condition has the following ongoing requirement, which must be adhered to, to ensure continued compliance:

All retaining walls within the site shall be constructed using the approved materials before any new dwelling is occupied, and thereafter retained as such.