Kirklees Council
Economy and Infrastructure – Planning and Development
Kirklees Planning,
PO BOX B93, Civic Centre III
Huddersfield, HD1 2JR

8 May 2024

Dear Sir/Madam,

SECTION 96A SUBMISSION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 2022/48/92471/E

WSP UK are acting on behalf of Kirklees Council (hereafter referred to as "the Applicant") regarding the submission of a Non-Material Amendment (NMA) to an extant planning permission (2022/48/92471/E). The planning application referenced 2022/48/92471/E, granted on 05 July 2023, relates to the following development:

"*Redevelopment of Heckmondwike Bus Station including a new concourse building with waiting room, Changing Places WC, driver offices, 6 No. bus stands, landscaping, and associated works*."

Section 96A Submission

The mechanism for introducing non-material amendment to an approved planning permission is through the submission of an application under Section (s)96A of the Town and Country Planning Act 1990. S96A states the following:

> *"(1) A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.*
>
> *(2) In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."*

There is no statutory definition of 'non-material'; it is dependent on the context of the overall scheme (i.e. what is non-material in one case may be material in another). Therefore, the decision as to whether the amendment sought is non-material is at the discretion of the Local Planning Authority (LPA).

Non-Material Amendment Details and Justification

Since planning permission was granted for the application Ref. 2022/48/92471/E, the need for a few amendments from the approved designs has been identified.

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These amendments are as follows:

- Amendment to the canopies on the bus station building;
- Amendment to the bus station signage;
- Amendment to Bus Bay 6 entrance curtain wall;
- Change to the bus station building cladding; and
- Amendment to the bin store.

Table 1 below details the plans submitted as part of planning application 2022/48/92471/E that have been amended and re-submitted with this NMA application.

Table 1. Existing and Revised Plans

Plan Title	Approved Plan Reference under Planning Application Ref. 2022/48/92471/E	Revised Plan Reference
Elevations Sheet 1	20233-003-SGP-HEK-ZZ-DR-A-201300 Rev P9	20233-003-SGP-HEK-ZZ-DR-A-201300 Rev P10
Elevations Sheet 2	20233-003-SGP-HEK-ZZ-DR-A-201301 Rev P6	20233-003-SGP-HEK-ZZ-DR-A-201301 Rev P7
Proposed General Arrangement Roof Plan	20233-003-SGP-HEK-ZZ-DR-A-201118 Rev P3	20233-003-SGP-HEK-ZZ-DR-A-201118 Rev P4
Proposed General Arrangement Plan	20233-003-SGP-HEK-XX-DR-A-201101 Rev P3	20233-003-SGP-HEK-XX-DR-A-201101 Rev P4

The following subheadings describe each of the proposed amendments:

Amendment to the canopies on the bus station building

The amended design retains canopy structures above each access point as a public amenity, for example during inclement weather, and rationalises the amount of building material that would have been required to extend the canopy structures along more of the bus station building elevations. This would have the benefit of reducing the building material required to build the proposed development, so improves the sustainability of the scheme, and it would not affect the planning permission as originally granted.

Amendment to the bus station signage

This proposed amendment is a small adjustment to the positioning of the bus station signage to assist with wayfinding to the station for bus service users. This would not affect the planning permission as originally granted.

Amendment to Bus Bay 6 entrance curtain wall

This proposed amendment is to alter the design of the curtain wall at Bus Bay 6 and does not affect the planning permission as originally granted.

Change to the bus station building cladding

The approved Elevations Sheet 2 design states that “sandstone cladding” will be used on part of the building elevations. However, the stone type has been reviewed and the materials proposed to be used are set out in the enclosed ‘**Finishes/Colour Schedule for Non-Material Amendment Application**’ report (Ref. 20233-SGP-00-ZZ-SH-A-7503). This includes Jura Limestone beige natural stone cladding for the rain screen wall.

The new stone types are considered to be of similar colour and texture to the stone type shown in the approved designs, so will appear very similar to the design specifications approved as part of the planning application Ref. 2022/48/92471/E. Therefore, this would not affect the planning permission as originally granted.

Amendment to the bin store

The proposed amendment to the bin store is to remove the roof and provide an open air, fenced compound. This would reduce the building material required for the scheme, so improving its sustainability. This would not affect the planning permission as originally granted.

Overall, the proposed amendments outlined in this NMA are considered to ensure the viability of the approved development. The proposed amendments are considered not to result in material changes to the overall scheme, and therefore would not affect the planning permission as originally granted.

I trust everything is in order and that the application can be validated and progressed without delay. Please come back to me with any questions.

Yours faithfully

Ian Pennington
Senior Consultant – Infrastructure Planning

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