

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 96A

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR NON-MATERIAL AMENDMENTS

Reference No: **2024/NM/93332/E**

Site Address: Oakroyd Hall, West Yorkshire Fire And Rescue Service Headquarters, Bradford Road, Birkenshaw, BD11 2DY

Description: Non material amendment to previous permission 2024/91186 for variation of conditions 2 (plans and specifications), 14 (Landscape Plan) on previous permission 2022/92718 for demolition of fire training building, extension and landscaping of RTC yard, including erection of fuel pump and tank, bin store and dog kennels, recladding of the BA building and erection of an enclosed link between BA and TRTC, provision of a new sub-station and new boundary treatments, retaining and landscaping works

Recommending Officer: William Simcock

DECISION – Non Material Amendment – 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.

Nicholas Hirst

AUTHORISED OFFICER

Date: 24-Jan-2025

Application: 2024/93332

Site: Oakroyd Hall, West Yorkshire Fire and Rescue Service Headquarters, Bradford Road, Birkenshaw, BD11 2DY

Original application no: 2024/91186

Description of original proposal: Variation of conditions 2 (plans and specifications), 14 (Landscape Plan) on previous permission 2022/92718 for demolition of fire training building, extension and landscaping of RTC yard, including erection of fuel pump and tank, bin store and dog kennels, recladding of the BA building and erection of an enclosed link between BA and TRTC, provision of a new sub-station and new boundary treatments, retaining and landscaping works.

Description of proposed amendment

Changes are sought to the design, which are shown on the following amended plans:

- Proposed GA Elevation - Cladding Option A HQC004 BBA Z3 ZZ DR A A5 C05 (This plan is marked as confidential and will be sent directly to the planning officer)
- Proposed Ground Floor GA Floor Plan HQC004 BBA Z3 00 DR A 2201 A5 C08 (This plan is marked as confidential and will be sent directly to the planning officer)
- Proposed GA Elevations – Cladding Option A HQC004 BBA Z3 ZZ DR A 3203 A5 P02 (redacted version)
- Proposed Ground Floor GA Floor Plan HQC004 BBA Z3 00 DR A 2201 A5 P05 (redacted version)
- Proposed Roof GA Floor Plan HQC004 BBA Z3 RF DR A 2202 A5 P01 (redacted version)
- Landscape GA HQC004 BBA Z0 XX DR L 1009 A5 C07
- Landscape Masterplan 2 HQC004 BBA Z0 00 DR L 1072 S4 P05

The description of the changes, as set out in the applicant's covering letter, is as follows:

Breathing Apparatus (BA) Building

- i. A new BA link block is proposed to be erected between the BA building and Technical Training Centre (TRTC) building, which are located at the eastern end of the site. This will replace the original lightweight canopy. The previous application proposed a covered space, but this is a more substantial link block.
- ii. Louvres are proposed to be introduced to the west side of the BA link as well as a door.
- iii. 2no. AC units will be relocated to the BA link roof.
- iv. New guarding will be installed on the BA link roof.

- v. The BA entrance to the north side of BA is proposed to be demolished and a new entrance will be built.
- vi. Cladding will be installed to the west elevation of the BA building over the existing high-level windows.
- vii. There are 5no. new doors on the BA elevations to be installed.
- viii. The rainwater downpipes on the west elevation of the BA building will be replaced.

Technical Training Centre (TRTC) Building

- i. A new steel frame canopy is proposed to be installed at the rear (east) of the TRTC building to cover the outside seating area.
- ii. 2no. new steel frame canopies are installed outside the main entrance doors to the BA and TRTC buildings (i.e. to their west and north elevations respectively).

It should be noted that no changes to the landscaping scheme are proposed; the two landscape plans referred to above are included for completeness so that the changes to the footprint of the buildings can be shown within the wider setting.

Assessment

Under the Council's Protocol for Non-Material Amendments, the four key tests as to the acceptability of a change to an approved scheme under the non-material amendment procedure are:

1. Is the proposed change inconsequential in terms of its scale (magnitude, degree, etc) in relation to the original approval?

The "link block" would have the same footprint as the originally proposed lightweight covered link, although shifted slightly to the west. It would be a very small and low-key structure, both in relation to the two buildings it would serve, and in the context of the site as a whole and would not be materially different in terms of how it would be perceived from public vantage points. The canopy attached to the rear (eastern) elevation of the TRTC building would project outwards a maximum of 3.7m and would be 14m in length. This is of similar scale to the one shown on the original plans and would also not be very prominent from public viewpoints, being 15m from the adopted highway and behind a belt of trees. Overall, it is considered an insignificant addition to the building. The canopies to the western elevation would be much smaller structures and not visible from outside the site, therefore likewise not raising concern.

The original 2022 application included the addition of cladding to the western elevation of the BA building. The proposed change would increase the amount of cladding slightly, in that it would cover what were to have been upper-floor window openings, but this is considered a very minor change. The other changes to the BA building – the louvres, guarding, AC units, new doors, and rainwater downpipes – are not explicitly referenced within the

original application description and are also not covered by permitted development rights as it is a building associated with a *sui generis* use. Nevertheless, these changes are still considered non-material as they are very minor in scale to the original proposal that would not depart from the original description; such additions would not be atypical of similar developments. They would also not be prominent from outside the site. They would be inconsequential in terms of the design quality of the site and how it would be perceived.

To sum up, it is considered that the proposed changes can be deemed inconsequential in terms of scale, compared to the original scheme.

Three further tests need to be applied as follows:

2. In the Authority's view would the proposed change result in a detrimental impact either visually or in terms of living conditions?

It is considered that the changes would not result in a detrimental impact visually, for the reasons set out in the above paragraphs. They would not result in an intensification of the site nor would affect living conditions of residents, as they would not be located close to any residential properties. This would also apply to the AC units, which are too far away from any residential properties to give rise to noise disturbance.

3. In the Authority's view would the interests of a third party or body who participated in or were informed of the original decision be disadvantaged in any way?

Only one representation was made on the original application (ref 2024/91186) and this raised concerns only over the siting of the kennels, to which the developer seeks no further changes. Owing to the scale and nature of the changes now proposed, it is considered that it does not raise issues of significance that any internal or external consultees would wish to have the opportunity to comment on. Therefore, no third parties or bodies would be disadvantaged by not being given the chance to comment on this application.

4. In the Authority's view would the amendment be contrary to any policy of the Council?

It is considered that the change would accord with all relevant LP Policies.

In considering these tests, the following factors will also be relevant:

- The proposed changes to the permitted scheme must not result in the development falling outside the description of the development as set out on the Decision Notice.

Comments: It is considered that the changes would fall within the scope of the original description.

- The proposed change must not contravene any condition attached to the original permission.

Comments: It is considered that the proposed changes would not contravene any condition attached to the original permission, 2024/91186. The architect has confirmed that the external facing materials for the link extension would be exactly the same as previously approved, thereby complying with condition (15).

- The proposed change should not require a further restriction to make it acceptable (e.g. an amendment seeking to introduce a window which would only be acceptable if it is kept obscurely glazed.)

Comments: It is considered that no further restrictions are necessary.

- The proposed change would not result in any material increase in height, scale, width or depth of a building.

Comments: It is considered that no building would be materially increased in any dimension.

- The proposed change would have been likely to have been approved had it formed part of the original application.

Comments: For the reasons already set out, there are no obvious reasons why any of the changes would not have been approved as part of the original application.

It is considered that the proposed change does not fail any of these tests.

Conclusion

It is recommended that the changes shown on the submitted plans can be allowed as a minor non-material amendment.

Recommendation: Approve NMA

Report Dated: 20/04/2025.

Draft Decision notice text

I refer to the proposed changes indicated on the following drawings:

- Proposed GA Elevation - Cladding Option A HQC004 BBA Z3 ZZ DR A A5 C05 (This plan is marked as confidential and will be sent directly to the planning officer)
- Proposed Ground Floor GA Floor Plan HQC004 BBA Z3 00 DR A 2201 A5 C08 (This plan is marked as confidential and will be sent directly to the planning officer)

- Proposed GA Elevations – Cladding Option A HQC004 BBA Z3 ZZ DR A 3203 A5 P02 (redacted version)
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- Landscape GA HQC004 BBA Z0 XX DR L 1009 A5 C07
- Landscape Masterplan 2 HQC004 BBA Z0 00 DR L 1072 S4 P05

These comprise the following changes:

- i. A new BA link block between the BA building and Technical Training Centre (TRTC) building, in place of a canopy as approved.
- ii. Louvres introduced to the west side of the BA link as well as a door.
- iii. 2no. AC units relocated to the BA link roof.
- iv. New guarding installed on the BA link roof.
- v. The BA entrance to the north side of BA demolished and a new entrance will be built.
- vi. Cladding installed to the west elevation of the BA building over the existing high-level windows.
- vii. 5no. new doors on the BA elevations.
- viii. The rainwater downpipes on the west elevation of the BA building will be replaced.
- ix. A new steel frame canopy is proposed to be installed at the rear (east) of the TRTC building to cover the outside seating area and 2no. new steel frame canopies outside the main entrance doors to the BA and TRTC buildings.

I confirm that the alterations are acceptable and may be considered as a non-material amendment to the approved drawings.

It should be noted that this letter relates only to the non-material amendment sought and it is not a re-issue of the original planning permission. The two documents should be read together and as such, all conditions imposed on the original granting of planning permission apply to the proposal as now amended. A copy of this letter and the amended plans will be retained on the public record of approved documents. I would draw your attention to the need to deal with the Building Surveyor to ensure that the proposal, as amended, still complies with the Building Regulations.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple

of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.