

**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: **2025/NM/90144/W**

Site Address: 7, Ashgrove Road, Deighton, Huddersfield, HD2 1FQ

Description: Non material amendment to previous permission 2019/93662 for demolition of existing buildings and erection of five storey storage facility with offices and parking

Recommending Officer: Katie Chew

**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.**

Nick Hirst

***AUTHORISED OFFICER***

**Date: 20-Feb-2025**

## **Officer Report**

**Application Site:** 7, Ashgrove Road, Deighton, Huddersfield, HD2 1FQ

### **Description of Proposal:**

The application seeks a non-material amendment to previous permission 2019/93662 for demolition of existing buildings and erection of five storey storage facility with offices and parking.

The proposed amendments are described in the applicant's submitted application forms as follows:

- Removal of first-floor offices
- As a result of the above the overall height of the building reduces by c620mm and fenestration is adjusted.
- Car parking layout amended to accommodate the above and loading bay access.

Within the application form it states that the traffic movements to site will be reduced and be less intensive. This is demonstrated in the submitted extract from 'Self Storage UK Annual Report 2024' and reduction in the amount of total office accommodation.

Offices and associated accommodation at ground floor is to be retained to service the storage facility.

The proposed amendments are illustrated in the following drawings/documents:

- 1750-2HA-1F-DR-A-0121-P01 Proposed First Floor GA Plan
- 1750-2HA-2F-DR-A-0122-P01 Proposed Second Floor GA Plan
- 1750-2HA-3F-DR-A-0123-P01 Proposed Third Floor GA Plan
- 1750-2HA-4F-DR-A-0124-P01 Proposed Fourth Floor GA Plan
- 1750-2HA-GF-DR-A-0120-P02 Proposed Ground Floor GA Plan
- 1750-2HA-XX-DR-A-0100-P01 Existing Site Layout Plan (Original Met Surveys Topo Survey)
- 1750-2HA-XX-DR-A-0110-P05 Proposed Site Layout Plan
- 1750-2HA-XX-DR-A-0131-P03 GA Elevations Sheet 1 Rear and Side (Hansons Yard) Elevations
- 1750-2HA-XX-DR-A-0130-P03 GA Elevations Sheet 2 Front and Side Elevations
- 1750-2HA-XX-DR-A-0151-P02 Section B\_B
- 1750-2HA-XX-DR-A-0154-P02 Section E\_E
- 1750-2HA-XX-DR-A-0155-P02 Section F\_F
- Self Storage UK Annual Report, authored by Cushman & Wakefield

## **Relevant Planning History**

The site has a long history of planning applications relating to the Hanson facility, which include the following:

2024/93612 – Non material amendment to previous permission 2019/93662 for demolition of existing buildings and erection of five storey storage facility with offices and parking. Refused 10th January 2025. The following reason was given:

*This application was refused as the proposed changes would result in the development falling outside of the description of development as set out on the decision notice. Furthermore, the alterations may impact upon the highway implications of the proposal, i.e., traffic generation and parking demand. Therefore, Officers considered that due to the changes proposed, third parties, planning officers and consultees should be formally given the opportunity to consider these changes further.*

2021/90385 – Discharge of conditions 4 (materials), 5 (flood safety), 7 (drainage scheme), 11 (construction access) and 12 (statement of construction practice) of previous permission 2019/93662 for demolition of existing buildings and erection of five storey storage facility with offices and parking. Approved 11.08.2021

2019/93662 – Demolition of existing buildings and erection of five storey storage facility with offices and parking. Approved 24.08.2020

2018/93695 - Erection of building for storage of goods (Hanson Logistics)  
Approved: 31.05.19

2017/90166 - Erection of prefabricated warehouse and canopy to existing building (Hanson Logistics) Approved 12.06.17

2015/90081 - Erection of modular storage warehouse (Hanson Logistics)  
Approved: 12.05.15

## **Assessment**

This application must be assessed having regard to Section 96A of the Town and Country Planning Act 1990 which states “*In deciding whether a change is material, a Local Planning Authority must have regard to the effect of the change, together with previous changes made under this section, on the planning permission as originally granted*”, and the council’s adopted protocol for dealing with Non-Material Amendments. This protocol states that the four tests as to the acceptability of a change to an approved scheme under the Non-Material Amendment procedure are:

1. Are the proposed changes inconsequential in terms of scale (magnitude, degree etc) in relation to the original approval? **YES.**

If so, the three further tests need to be applied as follows:

1. In the Council's view would the proposed changes result in a detrimental impact either visually or in terms of living conditions? **NO.**
1. In the Council's view would the interests of a third party or body who participated in or were informed of the decision be disadvantaged in any way? **NO.**
2. In the Council's view would the amendment be contrary to any policy of the Council? **NO.**

In considering the above, the following factors are 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 – **The description of development would remain the same.**
- The proposed changes must not contravene any condition attached to the original permission – **No, the proposal would not contravene any planning conditions attached to the original decision.**
- The proposed changes should not require a further restriction to make them acceptable – **No further restrictions would be required.**
- The proposed change would not result in any material increase in height, scale, width or depth of a building – **Physical changes are proposed to the existing building, loading bay access and car parking layout; however, these would not materially increase the height, scale, width or depth of any building or structure, and would actually result in a reduction to the overall height of the building by c620mm.**
- The proposed changes would have likely to have been approved had it formed part of the original application – **It is likely that the proposed changes would have been approved had they formed part of the original application.**

The proposed changes are considered to be minor amendments which raise no significant concerns in relation to planning matters (including residential amenity, highway safety and design/streetscape considerations). The removal of the ancillary first floor offices is not considered to significantly alter how the site will operate, and the amended car parking layout is not considered to cause highway safety issues as the site will still be able to provide 31 parking spaces. Finally, the proposed reduction to the overall height of the building is welcomed.

## **Conclusion**

Given the above assessment, it is not considered that the proposed amendments would have a detrimental impact on visual amenity or highway safety, nor would they be detrimental to a third party. The amendments are

considered to be in accordance with protocol, and it is therefore recommended that the non-material amendment be approved.

**Recommendation:** Approve NMA.

**Decision Authorisation:** Delegated Decision

**Application Number:** 2025/90144

**Report Dated:** 19/02/2025

Decision letter text

The proposed amendments are identified as follows:

- Removal of first-floor offices
- As a result of the above the overall height of the building reduces by c620mm and fenestration is adjusted.
- Car parking layout amended to accommodate the above and loading bay access.

The proposed amendments are illustrated in the following drawings:

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I can confirm that the proposed alterations as outlined above, 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.