

**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/90381/W**

Site Address: Southgate/Leeds Road, Huddersfield, HD1 1TW

Description: Non material amendment to previous permission 2023/93655 for reserved matters application pursuant to (Phase 2 of) outline permission 2021/91544 for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness and the discharge of conditions 5 (masterplan), 6 (design code), 9 (internal access per phase) and 19 (BEMP per phase)

Recommending Officer: Liz Chippendale

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: 09-May-2025

Application: 2025/90381

Site: Southgate/Leeds Road, Huddersfield, HD1 1TW

Proposal: Non material amendment to previous permission 2023/93655 for reserved matters application pursuant to (Phase 2 of) outline permission 2021/91544 for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness and the discharge of conditions 5 (masterplan), 6 (design code), 9 (internal access per phase) and 19 (BEMP per phase)

History of negotiations/amendments

The original application included details for the addition of roof railing. However, throughout the course of the application, the applicant was advised that further details would be required to secure folding railing system as secured under phase 1 of the development and required by condition 10. As such, the applicant agreed to remove this element from the application and submit a separate discharge of conditions application to approve this detail.

Overview

The changes sought are all:

- Removal of glazed entrance door in west elevation and addition of entrance door in south elevation
- Addition of soldier course shown on plan SG2-AHR-B2-XX-DR-A-083000 P8

This application must be assessed having regard to Section 96A of the Town & Country Planning Act 1990: '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'. To assist with this assessment, the LPA has published its 'Protocol for dealing with non-material amendments'.

Assessment

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

The proposed amendments are considered to be inconsequential in terms of scale in relation to the original approval.

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

The proposed amendments would have no considered impact on the visual amenity of the approved dwellings or result in disadvantage to the interests of any third party given the alterations are minor.

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?

The proposed amendments would not be considered to disadvantage any third party or body in any way given that the alterations are minor.

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

No. The proposed amendments be in accordance with Policy LP27 of the Local Plan.

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 e.g. by seeking to add a pitched roof to an extension described on the Notice as a "flat roof" extension.

The proposed changes would not fall outside of the description of development.

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

The proposal does not contravene any condition attached to the original permission.

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).

The proposal would not require any further restrictions to make it acceptable.

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

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

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

The proposed revisions would likely have been approved had they formed part of the original application.

Conclusion

The development (specifically the reserved matters aspect) has not been subject to another NMA application. There are considered no concerns of cumulative impacts and the changes sought between the applications have no bearing on each other.

Based on the above, while considering the council's protocol for dealing with non-material amendments, and giving weight to the purpose of NMA applications, the proposed change is considered acceptable under the non-material amendment procedure.

Recommendation: Approve

Report Dated: 02/05/2025

Proposed Letter Text

The amendments sought are as follows:

- Removal of glazed entrance door in west elevation and addition of entrance door in south elevation
- Addition of soldier course shown on plan SG2-AHR-B2-XX-DR-A-083000 P8

These amendments are detailed as per the following plans / documents:

- Planning elevations reference: SG2-AHR-B2-XX-DR-A-08300 Rev. P9
- Site Location plan reference: SG2-AHR-B2-DR-A-08500
- Proposed ground floor plan reference: SG2-AHR-B2-00-DR-A-08200 Rev P5

I confirm that the alterations are acceptable as a non-material amendment to the approved drawing(s) and are hereby approved.

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