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Date: 28-May-2025
Our Ref: 2025/91252

Dear Sir/Madam

**Application for a non-material amendment following a grant of planning permission,
Town and Country Planning Act 1990**

**Non material amendment to previous permission 2021/93567 for demolition of
existing commercial buildings and erection of 180 dwellings with associated works
Land off, Westgate, Cleckheaton, BD19 5DR
Application Number: 2025/91252**

Thank you for your application dated 07-May-2025 for a non-material amendment to the above scheme.

The non material amendment seeks to replace the Arboricultural Impact Assessment and Method Statement Report previously approved under condition 3 of 2021/93567.

An updated Arboricultural Report, Impact Assessment and Method Statement Rev: 7 (Date: 25/04/2025) by Cura Terrae has been submitted and is considered to be acceptable as a non-material amendment to condition 3 of 2021/93567.

To account for the non-material amendment(s) hereby approved, condition 3 is hereby updated to:

3. The development shall be undertaken in accordance with the advice and directions (recommendations) contained in the 'Westgate, Cleckheaton – BS 5837: 2012 Arboricultural Report and Impact Assessment and Method Statement Rev: 7 (Date: 25/04/2025)' by Cura Terrae. These shall be implemented and maintained throughout the construction phase and retained thereafter.

Reason: To protect trees in the interests of visual amenity and to accord with the requirements of Policy LP33 of the Local Plan and advice within the National Planning Policy Framework

You are reminded that this Non-Material Amendment decision notice sits alongside and should be read with the original application's decision notice. The new details are subject to the originally imposed conditions.

Furthermore, notwithstanding the approved plans, condition 26 of the 2021/93567 permission remains to be discharged, which requires full details of landscape works/proposals. The accompanying covering letter states, this new information will accompany details to be submitted under condition 26. It is advised that any landscape details to be submitted under condition 26, account for the further loss of these trees under this non material amendment and also the technical details of the newly approved grasscrete track, including the management and maintenance arrangements previously considered as a non material amendment under application 2024/93247.

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.

Yours faithfully

Mathias Franklin
Head of Planning and Development