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20-05-2025

Kirklees Council
Development Management
PO Box B93
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Huddersfield
HD1 2JR

BDP.

Dear Sir / Madam

Non-material Amendment (Section 96A) Application following approval of Full Planning for the Temporary Siting of Dewsbury Market (2022/48/92308/E)

Foundry Street / Market Place / Longcauseway / Town Hall Way, Dewsbury

BDP is instructed by our client, Kirklees Council, to submit a non-material amendment (NMA) application to Kirklees Council Local Planning Authority (the LPA), to seek a change to the approval for the temporary siting of Dewsbury Market.

This Covering Letter is supported by:

- Planning Application Form, duly signed and dated
- Proposed Site Plan (drawing reference GR730141 P4 E).

Background and context

On 11 November 2022, full planning permission was granted for the Temporary Siting of Dewsbury Market, on Foundry Street, Market Place, Longcauseway and Town Hall Way in Dewsbury Town Centre (LPA reference 2022/48/92308/E).

The original proposal was accompanied by a Proposed Site Plan (drawing reference EI200209 P1 A), which illustrated the 51 container stalls and 2 storage containers (53 total).

This NMA seeks to reduce the proposed number to 24 container stalls and 4 storage containers (28 total).

The locations of the proposed containers approximately align with those of the approved. There are simply less of them.

The number of containers has reduced due to a change in demand and how the market is currently trading. The proposed layout is based on the discussions with traders and their preferences - of the containers which were approved in clusters (31 to 35, for example), their arrangement has been slightly amended based on traders' requests.

Containers have also been (re)positioned to avoid unnecessary clashes with street furniture and to ensure minimal disruption to the highway – less containers means that less street furniture removal is required. As such, the list of remedial works, listed as points 'A' to 'U' on drawing EI200209 P1 A, has reduced on drawing GR730141 P4 E.

For the avoidance of any doubt, whilst day stalls are illustrated on the plans, this is purely for transparency. These stalls do not require planning permission. They are Permitted Development (Class BA in Part 12 of Schedule 2: Holding of a Market by or on behalf of a Local Authority).

Consideration was given to simply part-implementing the approved consent but, given the slight amendments to some container locations, this wasn't deemed practical.

On 9 May 2025, BDP sought Victor Grayson's (Development Management Officer) confirmation that he agreed the works described above could be assessed by the LPA via an NMA application. On 16 May 2025, Mr Grayson confirmed that they could.

Condition 2 of the 2022/48/92308/E Decision Notice lists the approved application drawings.

For officers' ease, the table below identifies the plan/s to which amendments are sought, together with a brief description of the changes:

Approved Plan	Replacement Plan	Amendments sought
Proposed Site Plan EI200209 P1 A	Proposed Site Plan GR730141 P4 E	<ul style="list-style-type: none">• Number of stalls reduced from 53 (51 + 2) to 28 (24 + 4)• Some containers slightly relocated, though all remain within the same approximate vicinity as approved• Some clustered containers slightly rearranged, though all remain within the same approximate vicinity as approved• No containers proposed along / adjacent to Town Hall Way• Amount of street furniture removal reduced

For the benefit of officers' understanding, a Discharge of Conditions application, to address the pre-commencement conditions, is currently being prepared and will be submitted in due course, to allow the lawful commencement of development on site.

I trust that the above is helpful and the enclosed provides sufficient detail to enable the validation of this planning application in a timely manner.

In the meantime, if any additional information or clarification is required, please contact David Staniland (Senior Consultant Town Planner, BDP) on 0161 828 2275.

Kind Regards



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