



RE Design Architects Ltd
79 Orchard Avenue
Cheltenham
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FAO: Development Management Kirklees Council

Re: Application to Vary Condition 2 (Approved Plans)

Original Permission: 2020/62/92385/E – Erection of Warehouse

Site: HB Food Services, Vulcan Works, Vulcan Road, Eightlands, Dewsbury, WF13 2NA

Applicant: HB Foods Ltd

Dear Sir/Madam,

I am submitting an application on behalf of the applicant under Section 73 of the Town and Country Planning Act 1990 to vary Condition 2 (below) of planning permission 2020/62/92385/E. The intention is to update the approved drawings to reflect a series of minor design adjustments to the proposed warehouse building.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location plan	0001	-	27.7.2020
Proposed site/block plan	0003	P4	27.7.2020
Proposed elevations	0005	P2	27.7.2020
Proposed floor plans	0006	P3	27.7.2020
Existing impermeable area	E20/7766/18/01	-	29.9.2020
Proposed impermeable area	E20/7766/18/02	-	29.9.2020
Proposed vehicle tracking inbound	0008	P1	8.12.2020
Proposed vehicle tracking inbound	0007	P1	8.12.2020
Drainage feasibility plan	E20/7766/01C	-	30.11.2020
Drainage calculations	E20/7766/A	-	30.11.2020
Phase I desk study (appendix 2)	C864/20/E/1335	-	31.7.2020
Phase I environmental desk study (part 1)	C864/20/E/1335	-	31.7.2020
Transport statement	July 2020	-	31.7.2020
Bat survey	Dates 8th July 2020	-	31.7.2020

We are looking to amend the site block plan, the proposed elevations and the floor plan of the proposed building. The building remains an industrial structure with trapezoidal steel wall

cladding, consistent with the general design, and overall appearance previously approved. No amendments are proposed to the site layout, access, drainage strategy, or the operational use of the site. The changes equate to a reduction in the floor area from 963 Sqm to 705 Sqm. The reduction in size does not materially effect the overall nature of the development but is deemed a significant enough change to warrant a section 73 application as opposed to a non material amendment.

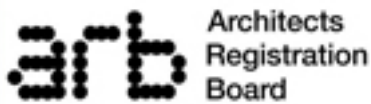
Works were lawfully commenced in 2023 under the original application following a discharge of conditions application. The initial phase of construction included the setting out and excavation of foundations and the formation of drainage channels. These activities constitute a meaningful start on site, and the permission therefore remains extant. Works were paused shortly afterwards for budget reasons but will resume upon approval of the updated plans.

Aside from the revised drawings, the development will continue to comply with all other conditions attached to the original permission.

A full set of updated plans accompanies this application. For the avoidance of any doubt we have also included a dated invoice proving when the work was commenced and the approved application implemented on site. Please let me know if any further information is required.

Kind Regards

Rhydian Eldridge
Architect





Cover Note for Evidence of Commencement

The attached photographs and invoice demonstrate that trench foundation works were carried out on site prior to the expiry of the original planning permission. Setting-out was completed and excavation for the foundations actively began during this period. The works shown constitute a material commencement in accordance with section 56 of the Town and Country Planning Act 1990. This confirms that the permission was lawfully implemented and therefore remains extant for the purposes of the accompanying Section 73 application.



