

Enquiries to: Katie Chew

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Date: 19-Dec-2025
Our Ref: 2025/93365

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 2009/93382 for erection of retail
development
Cross Rink Street, Batley, WF17 6BH
Application Number: 2025/93365**

Thank you for your letter and plan received on 11-Dec-2025 regarding the above. The proposed amendments are identified as follows:

Modifications to past approval for the erection of retail unit, approved 04/04/2011, under application ref: 2009/93382. Including:

- Amendments to the originally approved structure to increase its height by around 0.7m.
- Changes made throughout the external elevations in terms of the design, window and door arrangements.
- No details have been provided in respect of materials and therefore Officers cannot confirm whether these are to be as approved, or not.
- Alterations to the originally approved access with a smaller, gated entrance shown on the submitted block plan, than previously approved.
- Parking numbers have changed with an increase of 2 spaces, due to the loss of 2 originally approved disabled spaces.
- Finally, the overall use of the site is proposed to be changed from a retail unit with storage and staff facilities, to 10 flats and warehouse storage.

The proposed amendments are illustrated in the following drawings:

- Proposed Elevations, Drawing No. 24.2782.05, received 11/12/2025.



- Proposed Floor Plans, Drawing No. 24.2782.04, received 11/12/2025.
- Proposed Site Plan, Drawing No. 24.2782.03, received 11/12/2025.

I am only able to consider non-material amendments to plans approved under a previous planning permission which are minor and do not materially change the appearance or character of the previously publicised scheme. The proposed alterations to the approved plans extend beyond this, hence I can confirm that the proposed alterations as outlined above cannot be accepted to form a non-material amendment to the original proposal.

The proposed changes to the permitted scheme would result in the development falling outside of the description of the development as set out on the decision notice. This, in addition to the level of changes proposed to the internal and external elevations and layout of the site, are considered to be material in nature.

Therefore, Officers consider that due to the changes proposed, third parties, planning officers and consultees should be formally given the opportunity to consider these changes further.

The application for a non-material amendment is hereby refused.

However, please be aware that these comments are offered without prejudice to the future decision of this Authority on the formal planning application.

The application forms and guidance notes are available from the Council's website and applications can be made on line.

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

