

Albion Street, Dewsbury,

WF13 2AJ

Variation of Condition 3 – External Materials

Planning Permission Ref: 2024/62/91263/E

Design and Access Statement

January 2026



Section 73 Supporting Statement

1. Introduction

This Supporting Statement has been prepared in support of an application made under Section 73 of the Town and Country Planning Act 1990 to vary a condition attached to the planning permission approved on 23 January 2025.

The application seeks to vary the condition requiring the external walls of the approved development to be finished in red brick and the roof in slate. The proposed variation would allow the use of composite steel cladding panels to the main building elevations.

The proposed amendment relates solely to external materials. There are no changes to the approved use, scale, height, layout, footprint, or operational characteristics of the development.

2. Approved Development and Site Context

The approved development is for an electric vehicle garage, which would be the first of its kind in Dewsbury and has the potential to become the area's first purpose-built electric vehicle facility. The scheme represents a significant investment in the town and will create new employment opportunities while actively promoting the use of electric vehicles within the local community.

The site is located within an established commercial area. Due to its position and surrounding development, the site is only visible from two public viewpoints:

- The rear elevation facing **Halifax Road**; and
- The side elevation facing **Albion Street**.

All other elevations are screened by neighbouring buildings and are not visible from the public highway.

3. Need for the Proposed Variation

Since the grant of planning permission, the applicant has reviewed the approved construction approach in response to the current economic climate and the continued increase in construction and material costs. As part of this process, value-engineering options have been explored, particularly in relation to the main structural elements of the building.

The assessment has identified that the use of composite steel cladding panels would deliver significant cost and programme efficiencies when compared with the originally approved materials. These efficiencies are critical to ensuring the deliverability of the scheme and would allow investment to be redirected towards specialist equipment and advanced tools required for the efficient and modern operation of the electric vehicle garage.

The proposed change is therefore necessary to support the viability and long-term sustainability of the development, without resulting in material harm to the character or appearance of the area.

4. Visual Impact Assessment

As the condition being varied relates to appearance, the key consideration is the visual impact of the proposed material change.

The site benefits from a favourable topographical position. The local area slopes downward from Halifax Road towards Bradford Road, and the site topographical survey confirms that the application site sits approximately **1.5–2 metres lower** than the neighbouring Bath Hotel car park. When combined with the higher ground level of Halifax Road, this significantly reduces the visibility and prominence of the building within the street scene.

In addition, the surrounding area contains a number of **steel-clad commercial and industrial buildings**, meaning that the proposed materials would not appear out of character within the wider context.

Overall, the visual impact of the development is limited by:

- Restricted visibility from the public realm;
- The site's lower ground level; and
- The established commercial and industrial character of the surrounding area.

5. Proposed Mitigation Measures

To further reduce any potential visual impact, the proposal includes the following mitigation measures:

- Increasing the height of the site boundary walls by **1.5 metres** along the two visible elevations; and
- Changing the boundary wall material from blockwork to **brickwork**.

This approach will provide a stronger, more coherent and visually attractive street frontage and assist the development in integrating effectively with the surrounding commercial area.

From the public realm, the development will therefore appear as **brickwork at lower level**, in the form of the boundary wall, with **steel cladding above**. This creates a clean, modern appearance that reflects the character of nearby commercial development while maintaining an appropriate relationship with the street scene.

6. Planning Policy Assessment

The proposal is consistent with the **National Planning Policy Framework (NPPF)**. Paragraph 8 promotes sustainable development through economic, social and environmental objectives, all of which are supported by the proposed electric vehicle facility. Paragraph 85 encourages sustainable economic growth and innovation, which is directly supported by the development.

Paragraph 126 of the NPPF confirms that good design is a key aspect of sustainable development, while paragraphs 130(b) and 130(c) require development to be visually attractive, sympathetic to local character, and supportive of innovation. The proposed material change meets these objectives and does not result in unacceptable harm to visual amenity.

At the local level, the proposal accords with the **Kirklees Local Plan**, including:

- **Policy LP1**, which supports sustainable development delivering economic, social and environmental benefits;
- **Policy LP2**, which promotes economic growth and investment; and
- **Policy LP24 (Design)**, which requires development to respect the character and appearance of the area while allowing appropriate contemporary design solutions.

Given the limited visibility of the site, the surrounding commercial context, and the proposed mitigation measures, the proposed use of steel cladding is fully compliant with these policies.

7. Conclusion

This Section 73 application seeks a **minor and proportionate variation** to the approved external materials to ensure the deliverability and long-term viability of an important development for Dewsbury.

The proposal does not alter the approved use, scale, layout, or operational characteristics of the development and will not result in any additional impact on neighbouring properties or the wider area.

Taking into account the significant economic and sustainability benefits of the scheme, the limited visual impact of the proposed material change, and its strong compliance with national and local planning policy, the proposed variation is fully justified and should be approved.