

Kirklees Council
Planning and Development Service
PO BOX 1720
Huddersfield
HD1 9EL



23rd March 2026

RE: APPLICATION FOR VARIATION OF CONDITIONS UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990

Planning Reference: 2023/62/92557/W

Site Address: Cellars Clough House, Marsden, Huddersfield, HD7 6LY

Dear Sir/Madam

I am writing this letter in support of our application under Section 73 of the Town and Country Planning Act 1990 to vary **Condition 5** of planning permission 2023/62/92557/W. We also propose to vary the **Plans and Specifications Schedule** Condition 2 refers to. The application was approved on the 10th of November 2023 and it is for the erection of a single storey side extension with a terrace above and associated alterations.

The applicant seeks to vary the following conditions:

Condition 5

Condition 5 stipulates that all works relating to land stability should be in accordance with the details submitted. However, since the application was approved, a different geotechnical consultant was appointed to the project who has put forward an alternative proposal for the slope stabilisation than the one approved under the above application. We would therefore like to amend the drawing and document references named in the condition to refer to the new documents submitted by the Geotechnical Consultant, which reflect the new design.

Existing Wording: *"All works hereby approved that relate to land stability shall be undertaken in accordance with the details as submitted in Dwg Numbers. 001 Rev O, 002 Rev F and 003 Rev B and the details as contained within the Ground Investigation Report - Geotechnical by GeoAssist Limited (ref: 6018/CCZ-G v1.0) which shall be retained thereafter."*

Proposed Wording: *"All works hereby approved that relate to land stability shall be undertaken in accordance with the details as submitted in drawing numbers GSL3324_GDR_DWG001 and GSL3324_GDR_DWG002 and the details as contained within the Geotechnical Design Report (reference GSL_3324_GDR_001_Rev3) which shall be retained thereafter."*

The revised stabilisation method continues to address land-stability requirements and does not alter the building footprint or its relationship with the surrounding landform. The submitted layout that has been discussed and agreed with the neighbour at Coach House Healing & Wellbeing Centre. Drawings DWG001 and DWG002 are contained within the report.

Condition 2:

Existing Wording: *"The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice..."*

Whilst we are not looking to vary the condition itself, we are looking to vary some of the drawings the plans and specifications schedule refers to.

We are proposing to replace the old geotechnical information with the new submission materials as per our explanation to vary Condition 5.

We are also proposing to replace the old elevation drawings with new ones. Due to technical requirements, we are proposing to increase the height of the parapet on the flat roof, and as a result the vaulted roof height too, by 350mm. This helps facilitate all the detailed aspects of the scheme, driven by the flat roof and the roof terrace above (allowing enough depth for structure, insulation, drainage, pedestals / supports). We are also proposing to increase the length of the vaulted roof slightly, to give more height to the pool area below.

The change is modest and results in no meaningful difference in visual impact, particularly as the building sits well below road level and is largely screened from public views. The slight increase does not affect the character of the street scene, neighbouring amenity, or the overall scale of the approved scheme.

Replace:

Plan Type	Reference	Version	Date Received
Proposed South and West Elevations	L(-4)021	-	29/08/23
Proposed North and East Elevations	L(-4)011	-	29/08/23
Proposed West (b) Elevations	L(-4)031	-	29/08/23
Proposed ground/roof plan (this drawing isn't listed in the schedule but was submitted as part of the application)	L(-2)021	-	29/08/23
Site Plan & Sections	001	O	29/08/23
Embankment Reconstruction Work Proposed Site Plan	002	F	29/08/23
Embankment Restoration Work Sections & Details	003	B	29/08/23
Ground Investigation Report – Geotechnical	6018/CCZ-G v1.0	-	29/08/23
Gabion Wall 1 Section AA Gabion Analysis Input Data	-	-	29/08/23
Section AA Gabion Analysis Input Data	-	-	29/08/23

With:

Plan Type	Reference	Version	Date Received
Proposed South and West Elevations	L(-4)021	Rev01	23/03/26
Proposed North and East Elevations	L(-4)011	Rev01	23/03/26
Proposed West (b) Elevations	L(-4)031	Rev01	23/03/26
Proposed ground/roof plan	L(-2)021	Rev01	23/03/26
Typical Slope Sections	GSL3324_GDR_DWG001	A	23/03/26
Plan of Proposed Works	GSL3324_GDR_DWG002	A	23/03/26
Geotechnical Design Report	GSL_3324_GDR_001_Rev1	03	23/03/26

*this table lists all the documents submitted as part of this application.

Summary:

In summary, this application looks to vary the relevant conditions to formalise the:

- updated proposal for the slope stabilisation by the new geotechnical consultant
- 350mm increase in height to ensure the project fulfils its technical requirements
- small increase in the extent of the vaulted roof

Conclusion:

Overall, the variations ensure the technical robustness of the scheme while staying fully in keeping with the aims and principles of the original approval.

I trust that the enclosed information provides sufficient detail for the Local Planning Authority to assess this application.

Thank you for your consideration of this application, and I look forward to your response.

Yours faithfully

Stephanie Adamou ARB

Architect

For and on behalf of ARCD Architects Ltd