



Kirklees Metropolitan Council
Planning Services,
PO Box 1720,
HUDDERSFIELD,
HD1 9EL

21 May 2026

BY EMAIL

Dear Sir/Madam,

Town and Country Planning Act 1990 (As Amended)

Variation of Condition 3 of Planning Permission 2021/62/92174/W

Moor End Academy, Dryclough Road, Crosland Moor, Huddersfield, HD4 5JA

Planning Portal Ref: PP-14908568

The Yorkshire Planner is instructed by Moor End Academy (the Applicant) to submit a s73 application to vary condition 3 of planning permission ref: 2021/62/92174/W to allow for the retention and continued use of two existing modular buildings by Moor End Academy for a further extended period of time.

The buildings have been in situ and fully operational since 2021, following the grant of a temporary planning permission for a five-year period on 4 August 2021 (ref. 2021/62/92174/W). This Section 73 application seeks to vary Condition 3 attached to that permission, thereby extending temporary time limit and allowing the development to remain for another 7 years. Photographs of the site are provided within the Photosheet submitted alongside this covering letter, which also contains the Planning, Design and Access Statement.

Proposal

In advance of the expiry of the planning permission ref: 2021/62/92174/W on 18th August 2026, this application seeks permission for continuation of the use of the modular buildings for a period of 7 years through the variation of condition 3 (time limit) attached to ref: 2021/62/92174/W.

Condition 3 states:

“The permission hereby granted shall be for a time limited period only to expire on 18th August 2026 and on the expiration of this period the buildings shall be permanently removed from the site unless an application is made to the Local Planning Authority to extend this period.”

The reason is given that *“the application relates to buildings constructed from temporary materials and therefore would not be acceptable on a permanent basis in the interests of visual*





amenity. This is to accord with the aims of Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.”

A copy of the decision notice is enclosed within this submission.

No changes are proposed to the external appearance, footprint, scale, use, or structure of the two existing modular buildings. This application seeks to extend the current temporary planning permission by updating the wording to read as:

“The permission hereby granted shall be for a time limited period only to expire on 18th August 2033 and on the expiration of this period the buildings shall be permanently removed from the site unless an application is made to the Local Planning Authority to extend this period.”

This will allow Moor End Academy to retain these essential and heavily used facilities for teaching, dining, and staff office accommodation.

Site Description

The site comprises two existing modular buildings which are located behind security fencing, within the grounds of Moor End Academy, adjacent to the sports pitches and main school buildings. The modular buildings have their own ramp to enable inclusive access into the units and have their own associated plant in order to allow heating and cooling.

The modular buildings are located to the north west of the car park, at the furthest point from the main school entrance, where they do not compromise the flow of vehicles within the site. To the north of the modular buildings is a steep embankment down to more school playground and playing pitches.

The two modular buildings (also known as Portakabins) have been in use by Moor End Academy since planning permission was granted in 2021 and are critical to the academy’s operation, providing essential dining space to relieve pressure on limited internal facilities and accommodating key teaching and administrative functions, including classrooms, offices, and a meeting room. Moor End Academy currently serves 1,057 pupils, with its Published Admission Number increased to 210 in 2021 at the Local Authority’s request to address significant demand for school places. Further pressure has arisen from additional “bulge” cohorts in 2023 and 2024, where the academy was asked to admit extra pupils, resulting in existing facilities being stretched beyond their original capacity.

To support our planning assessment and provide the necessary justification for the extension of time for the two modular buildings, please find enclosed a letter from Moor End Academy which demonstrates:

- How the Portakabin units are currently used as much needed teaching space, offices and school canteen (because the internal canteen within the main school building cannot safely or efficiently accommodate two full year groups at the same time);
- The frequency and intensity of their use;
- The types of activities or facilities they accommodate;



- Confirmation that Moor End Academy is in high demand and oversubscribed, with pressure on existing accommodation.

The site is located within Flood Zone 1, which is an area at least risk of flooding. It is not located within a Conservation Area, nor any Listed Buildings within the immediate vicinity. The site is designated as Urban Green Space in the Kirklees Local Plan.

Planning Policy

The application seeks planning permission under Section 73 of the Town and Country Planning Act 1990 to vary the wording of the temporary time limit condition 3 attached to the original consent, effectively allowing the continued use of the buildings for a further period.

The National Planning Policy Framework (NPPF) supports the provision and retention of high-quality educational facilities. Paragraph 100 states that great weight should be given to the need to create, expand or alter schools, and that planning decisions should support the delivery of education infrastructure. Chapter 8 identifies the provision of services, including education, as a key component of achieving sustainable development, while Chapter 12 emphasises the importance of achieving well-designed places and maintaining a high standard of amenity.

The NPPF requires decision-makers/Local planning authorities to approach decisions on proposed development in a positive and creative way (paragraph 39) and decision-makers at every level should seek to approve applications for sustainable development where possible.

In terms of local policy, Policy LP24 (Design) of the Kirklees Local Plan seeks to ensure that development proposals promote good design and respond positively to their context.

In summary, the determination of this application requires a balanced assessment of:

- the strong policy support for retaining and supporting educational facilities (NPPF), and
- the need to ensure development achieves an appropriate standard of design and visual amenity (NPPF Chapter 12 and Local Plan Policy LP24).

Planning Assessment (includes Design and Access Statement)

This application seeks permission for the retention of two existing modular (Portakabin) buildings for their continued use by Moor End Academy pupils and staff. The buildings are currently rented by the school, with the intention to purchase both units, confirming their ongoing long-term role within the site.

The buildings are functional, modular structures designed by Portakabin for long-term use. They are constructed using robust steel-framed systems with insulated wall and roof panels, providing a level of quality, durability and performance comparable to traditional construction. The steel structures are designed for a lifespan of up to 60 years, far exceeding their original 'temporary' designation, and are built to meet full UK Building Regulations standards.

Modern modular buildings are not inherently temporary; they are widely used as permanent facilities across the education, healthcare and commercial sectors. When properly installed and maintained, they can achieve service lives comparable to conventional buildings, typically exceeding 50 years.





In planning terms, the permanence of a structure is determined by its intended duration, level of site integration, and connection to services, rather than its method of construction. In this case, the buildings are fully integrated within the school site (as shown on the accompanying photosheet) and function as an established part of the school's operational accommodation.

For these reasons, it is considered that the continued retention of the modular buildings on an extended period is appropriate given the school need (in alignment with paragraph 100 of the NPPF), and is considered that the suggested extended timeframe of 7 years is reasonable.

Impact on visual amenity

While Chapter 12 of the NPPF and Policy LP24 seek to ensure that development achieves a high standard of design and contributes positively to visual amenity, they also promote a pragmatic and context-led approach. The buildings are discreetly located within the site, positioned behind existing car parking and surrounding development. Their single-storey scale ensures they remain subservient to the main school building and are not prominent in wider views. As such, they do not give rise to any material harm to the character or appearance of the site or surrounding area in accordance with the NPPF and policy LP24.

The buildings are already established on site, are well-integrated within the operational school environment, and continue to perform a vital function. Their ongoing use does not result in any additional visual impact beyond that already experienced and accepted under the extant permission. Photo 15 of the accompanying photosheet shows clearly the view of the modular buildings from the school boundary fence. The modular buildings are positioned below the existing car park and are visually contained by the surrounding built form. By virtue of their single-storey scale and modest height, they remain clearly subservient to the main school building and do not result in any material harm to the character or appearance of the area. Furthermore, the surrounded by parked cars which shield the view of the buildings from outside the car park area from the south. The buildings are not located in close proximity to nearby residents, therefore there will be no harm to residential amenity associated with the continued use of these two buildings. Given the sites functional use and neutral appearance, it is considered to be acceptable to retain the two buildings in situ and extend the permission for a period of 7 years or more, where the Council allows it.

As such, it is demonstrated through the accompanying letter from Moor End Academy, that the retention of the two modular Portakabin buildings is essential to meet the operational and educational needs of the school and is therefore supported in planning policy terms relating to the provision of community and education facilities. The buildings provide critical accommodation, including additional teaching classrooms, office and meeting space, and a dedicated external dining area, all of which are necessary to support the current pupil roll of 1,057. This need has arisen from a Local Authority-driven increase in the Published Admission Number and the requirement to accommodate additional "bulge" cohorts, resulting in the school operating beyond its original design capacity. Without these facilities, the school would be unable to deliver an appropriate breadth of curriculum, maintain suitable class sizes, or provide adequate catering and circulation arrangements for pupils. The external dining building in particular is essential to enable staggered breaks, ensuring safe and efficient movement around the site and appropriate access to lunch provision. As such, the development directly supports the continued effective operation of an established educational use, with clear and





demonstrable need, in line with policy, and therefore this planning application should be considered acceptable in principle and approved.

It is acknowledged that the application site is designated as Urban Green Space (UGS) under Policy LP61 of the Kirklees Local Plan; however, as previously confirmed by the Council's delegated planning Officer during the life of application 2021/62/92174/W, the proposal does not conflict with this designation. The modular buildings are sited on areas of existing hardstanding within the established school campus and therefore do not result in the loss of functional open space, sports provision or recreational land. This reflects the same position accepted under the earlier permission for the existing modular buildings already in situ, where it was concluded that development in these locations does not undermine the objectives of the UGS designation. Accordingly, the proposed permanent retention is consistent with Policy LP61 and national guidance, as no loss of usable green space arises and the development continues to support the essential operation of the school.

Access

The proposals include no alterations to the existing access to the buildings. Currently, staff and pupils access the buildings through either a ramp with railings and double leaf entrance door, or stepped access with railings. This is considered to be acceptable and provides inclusive access for everyone.

Application fee and documentation

Accordingly, the following documentation has been submitted online via the Planning Portal to support the application (Planning Portal Ref: PP-14908568):

1. Completed application forms;
2. This updated Covering Letter (containing Planning, Design and Access Statement);
3. Copy of Decision Notice 2021/62/92174/W;
4. Photosheet;
5. Letter of support from Moor End Academy.

Payment of the application fee will be made directly to the Planning Portal by the Applicant.

I trust the above and enclosed are sufficient to enable registration of the application, however, if you have any queries, please do not hesitate to contact me.

Yours faithfully,

Rebecca Grace
Director

CC: Moor End Academy

