



Application Number	
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KIRKLEES COUNCIL VALIDATION CHECKLIST	SUPPLY 1 COPY ONLY

Planning - PO Box 1720, Huddersfield, HD1 9EL
E-mail: planning.portal@kirklees.gov.uk Tel: 01484 414746

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	
Suffix	
Property Name	260 Jd Gyms
Address Line 1	Bradford Road
Address Line 2	
Address Line 3	Kirklees
Town/city	Batley
Postcode	WF17 6JD

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
424753	423415

Description

Applicant Details

Name/Company

Title

First name

Surname

Frontier Land & Development Company

Company Name

Address

Address line 1

c/o Red Brick Mill

Address line 2

218 Bradford Road

Address line 3

Town/City

Batley

County

West Yorks

Country

Postcode

WF17 6JF

Are you an agent acting on behalf of the applicant?

- ☒ Yes
- ☐ No

Applicant Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

LS18 5JJ

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

ERECTION OF TWO-STOREY COMMERCIAL/OFFICE UNIT

Reference number

2023/62/91658/E

Date of decision (date must be pre-application submission)

17/05/2024

Please state the condition number(s) to which this application relates

Condition number(s)

3 and 4

Has the development already started?

☐ Yes

☒ No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

The proposed variation to the approved planning conditions is sought due to a material change in market circumstances and the identification of a more appropriate end user for the development.

Between the submission of the original planning application in July 2023 and the subsequent grant of planning permission (May 2024), there was a significant downturn in the market for the sale of heavy goods and furniture. As a result, the originally proposed ground floor use is no longer commercially viable, and the substantial investment required to deliver that use cannot be justified. In addition, JD Gyms has since undertaken a comprehensive refurbishment of its existing premises and no longer has a requirement for the additional floor space that formed part of the original proposal.

Despite these changes, the landlord / applicant has remained committed to delivering the development and has continued to invest in the scheme by commissioning detailed ground investigation works, unexploded ordnance (UXO) assessments, and structural surveys. These works have placed the project in a position where construction can now proceed and a commercial / office building can be delivered to complement the similar commercial / leisure / retail uses surrounding the site.

The landlord / applicant has subsequently received interest from an operator of a children's day nursery that requires accommodation of the size and specification approved. This represents a viable and sustainable occupier for the development and is considered to be highly complementary to the existing mix of uses on the site, which includes a family restaurant, a children's swimming centre and a children's play centre. The nursery would therefore enhance the site's established family-oriented leisure offer and create a strong synergy between the existing and proposed uses.

From an operational perspective, the proposed nursery use is also well suited to the site. The primary drop-off and pick-up periods are expected to occur outside the peak trading times associated with the restaurant and gym, thereby minimising any cumulative impact on traffic generation and parking demand. The differing peak periods are anticipated to result in a more balanced use of the site's existing infrastructure throughout the day.

Overall, the proposed amendment would facilitate the delivery of a consented development that might otherwise remain unimplemented, while securing a commercially viable use that is compatible with neighbouring occupiers and appropriate for the site.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Remove conditions to allow more flexible use of the commercial / office unit.
The removal of conditions 3 and 4 do not give rise to any new significant material planning considerations and allow alternative uses within Class E consistent with the site and its surrounds.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
- ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☒ The agent
- ☐ The applicant
- ☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
- ☒ No

Ownership Certificates and Agricultural Land Declaration

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

E.g. All the land is owned by a single individual

☒ Yes

☐ No

Is any of the land to which the application relates part of an Agricultural Holding?

☐ Yes

☒ No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

☐ The Applicant

☒ The Agent

Title

Mr

First Name

Alistair

Surname

Flatman

Declaration Date

06/07/2026

☒ Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Alistair Flatman

Date

06/07/2026