DC Admin

From:
Sent: 28 July 2026 23:06
To: DC Admin
Subject: Urgent representation – application 2026/92032, Land off Birkby Road

Categories:

Dear Planning Officer,

I wish to raise concerns regarding non-material amendment application 2026/92032, relating to the land off Birkby Road/Occupation Lane.

The amended drawing states that the house footprint has been altered following confirmation of the legal boundary and that the garage has been repositioned and resized. However, the submitted material does not appear to provide clear dimensions showing the movement between the approved and proposed positions.

Kirklees' protocol indicates that moving the approved footprint or siting of a building by more than one metre is unlikely to qualify as a non-material amendment. I therefore request that the Council establish and publish:

1. The precise distance and direction by which the house and garage have moved.
2. A dimensioned overlay comparing the approved and proposed layouts.
3. The revised distances from the house, garage, foundations and services to the access track and surviving dry-stone wall.
4. Whether the changes affect ground levels, drainage, access, neighbouring interests or any conditions attached to the original permission.
5. Whether construction has already commenced in accordance with the proposed amended layout rather than the currently approved plans.

There is an active concern regarding the position of the historic wall and the boundary markers. I recognise that private ownership is not determined through the planning process. Nevertheless, the physical relocation of the development, its relationship with the access track and wall, and whether the changes are sufficiently minor to use section 96A are relevant planning and procedural considerations.

I respectfully request that application 2026/92032 is not determined as a non-material amendment until these measurements have been provided and independently checked. If the alteration is material, I request that the applicant be required to use the appropriate section 73 or fresh planning-application procedure.

Please acknowledge receipt and place this representation before the case officer prior to determination.

Yours faithfully,