

Strata Homes

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Ref: PP-15112492

Date: 03/08/2026

Dear Sir or Madam

**APPLICATION FOR SECTION 96A - NON-MATERIAL AMENDMENT OF PLANNING
PERMISSION REF: 2021/62/93567/E (DEMOLITION OF EXISTING COMMERCIAL BUILDINGS
AND ERECTION OF 180 DWELLINGS WITH ASSOCIATED WORKS) FOR THE
DEVELOPMENT OF LAND OFF WESTGATE, CLECKHEATON, BD19 5DR.**

We hereby submit a Section 96A - Non-Material Amendment application in respect of planning permission reference 2021/62/93567/E for the development of Land at Westgate, Cleckheaton, BD19 5DR.

The application has been submitted via the planning portal (ref: PP-15112492). The application fee of £309 will now have been cleared via the Planning Portal upon the Local Planning Authority's receipt of this application. In addition to this cover letter and the application form, the application is accompanied by the information as detailed below.

Proposed Changes:

The approved plan: Site Layout (Dwg: BY00099-STH-B01-XX-DR-A SL001 Rev: T) is to be replaced by the following proposed plan: Site Layout (Dwg: BY00099-STH-B01-XX-DR-A SL001 Rev: W).

The amendments to be made consist of the following:

1. Addition of Part M4(2) Plots

Thirteen Housing Group have a company policy to try and deliver as many M4(2) homes on their sites as possible. Although not a policy requirement in Kirklees, Strata have looked to achieve this across the site on as many plots as possible which has resulted in a few minor layout changes. This includes the rearrangement of paths to allow for level access and the widening of designated parking bays.

It is therefore proposed that the previously approved plans titled: Westgate Cleckheaton External Works Sheet 1 (Dwg: QD1776-04-01 Rev: I) & Westgate Cleckheaton External Works Sheet 2 (Dwg: QD1776-04-02 Rev: J) is to be replaced by the drawings titled: External Works Sheet 1 (Dwg: QD1776-04-01 Rev: O) & External Works Sheet 2 (Dwg: QD1776-04-02 Rev: O).

2. Amendment to Shed Size & Location

All sheds identified upon the site layout have been updated to reflect the details agreed as part of the discharge of condition 37 (cycle storage) application (ref: 2025/93229).

3. Amendment to Retaining Wall Located Along Rear Boundary of Plots 44-52

A retaining wall is to be installed along the rear boundary of Plot 44-52, the details of which have been previously approved via the discharge of condition 16 application 2025/90964

In order to facilitate the construction of the retaining wall, the retaining wall is to be set inwards into the site by 1m. This is to ensure the structure does not impact the adjacent adopted highway, Quarry Road.

Please note that this amendment to the retaining wall has been approved and signed off by the Structure's Officer, Clare Richardson, at Kirklees Council via the AIP process.

As such, a re-discharge of condition 16 application has been submitted to Kirklees Council via the planning portal reference PP-15115953.

4. Amendment to Plot 28 & 29 Dwelling Position

The current positioning of Plot 29 presents significant buildability constraints. The existing embankment between the site boundary and the adjacent car wash facility to the north, restricts the area available to undertake the necessary foundation works to Plot 29. As a result of this, Plot 29 is to be shifted south by 1m to provide sufficient working space and ensure the safe delivery of Plot 29.

In order to accommodate this amendment, Plot 28 has shifted slightly south to ensure adequate separation distances are maintained between Plot 28 & 29.

In addition to the amendments referenced above, the following changes are also proposed to facilitate the repositioning of Plot's 28 & 29:

- Plot 29's garden minimally widened
- Plot 29's bin and cycle store repositioned.
- Plot 29's EVCP shifted north.
- Plot 28 & 29 frontage pathways repositioned.
- Bin collection point serving Plots 28-32 shifted north of the parking bays serving Plot 28.



Figure 1 – Previously Approved Site Layout (Dwg: BY00099-STH-B01-XX-DR-A SL001 Rev: T)



Figure 2 - Proposed Site Layout (Dwg: BY00099-STH-B01-XX-DR-A SL001 Rev: W).

5. Addition of 600mm Knee Rail Along Boundary of Iron Street

A 600mm knee rail is to be installed between the site boundary and Iron Street, in order to create a stronger delineation of these boundaries and to improve the security of the site.

6. Replacement of 900mm Screen Wall with 600mm Screen Wall Along Site Access.

Following comments received from Kirklees Council Highways Team as part of the Section 278 process, the height of the screen wall located adjacent to the site access is to be reduced from 900mm to 600mm to facilitate the required pedestrian visibility splays.

The location of the screen wall is identified in purple on the image below.

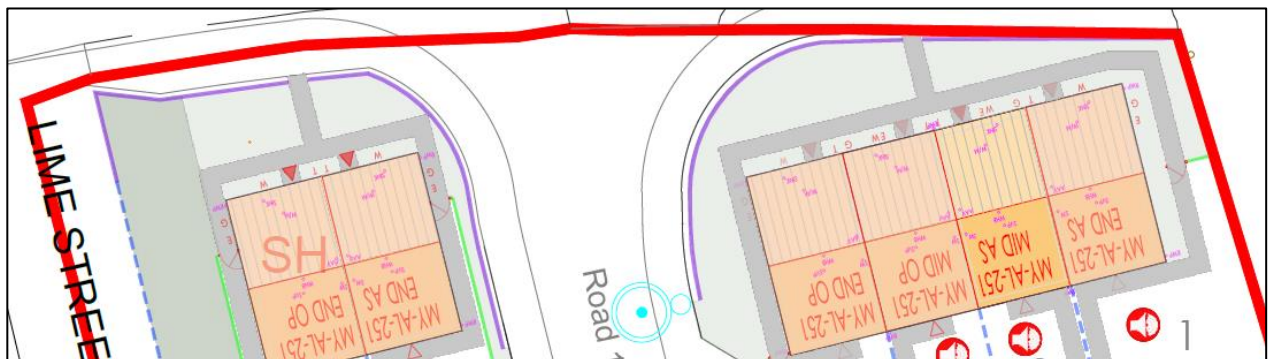


Figure 3 - Proposed Site Layout (Dwg: BY00099-STH-B01-XX-DR-A SL001 Rev: W)

7. Reconfiguration of Plot 1 Frontage Pathway.

The frontage pathway serving Plot 1 is to be repositioned (as identified below) in order to accommodate the retaining wall which is to be installed adjacent Plot 1.

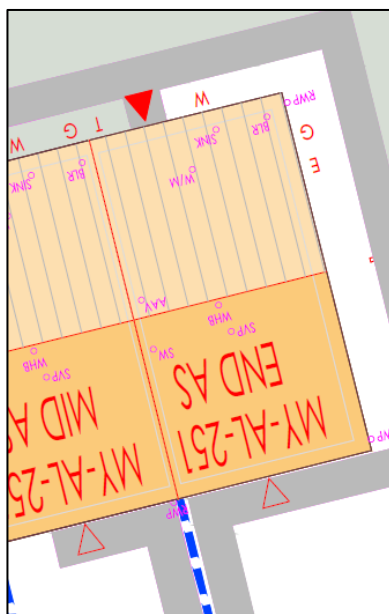


Figure 4 - Previously Approved Site Layout (Dwg: BY00099-STH-B01-XX-DR-A SL001 Rev: T)

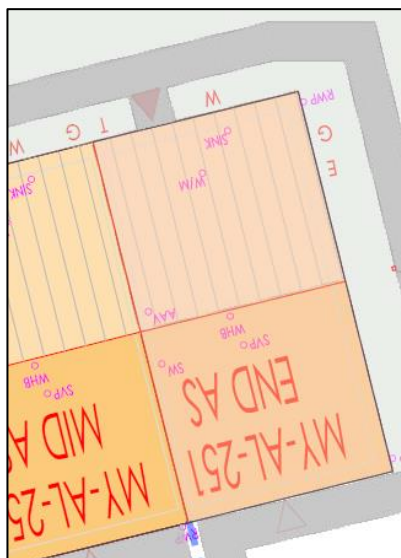


Figure 5 - Proposed Site Layout (Dwg: BY00099-STH-B01-XX-DR-A SL001 Rev: W).

8. Amendment to the Wording of Conditions 23 (Details of Site Entrance), 24 (Details of Path Connecting to Quarry Road) & 34 (Zebra Crossing).

Condition 23 of the Full Planning Application 2021/62/93567/E currently states:

'Prior to above ground works commencing, notwithstanding the information shown on drawing AMA/20664/SK012 Rev A, full details of the permanent site entrance and associated alterations to Westgate and Quarry Road (footway works), including footway improvements and widening, upgrades to the adjacent Zebra crossing (including new high intensity beacons and upgraded high friction surfacing on both sides), new or amended Traffic Regulation Orders and other associated works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of vehicle swept paths for a 11.85m refuse vehicle, sight lines, treatment of visibility splays, verges, road markings, signage, crossings, construction specifications and details, levels and sections, kerbing, drainage, surface finishes and street lighting, and independent road safety audits covering all aspects of these works.

*Unless otherwise agreed in writing by the Local Planning Authority, **the development shall not be brought into use until the approved works have been fully implemented.***

Condition 24 of the Full Planning Application 2021/62/93567/E currently states:

'Prior to above ground works commencing, a scheme for the new public footpath links to Quarry Road and SPE/93/20 (Brick Street) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the program of works and phasing, detailed drawings showing levels and sections, gradients, construction details, surface materials, drainage and boundary treatments.

***No part of the development shall be brought into use** until the new public footpath links that form that part of the development have been completed in accordance with the approved plans and details, and shall be maintained in that manner thereafter, unless otherwise agreed in writing by the Local Planning Authority.'*

Condition 34 of the Full Planning Application 2021/62/93567/E currently states:

'Prior to the occupation of the hereby approved dwellings, notwithstanding the submitted information, a detailed scheme for the upgrade of the existing zebra crossing on Westgate located 20m east of the Hightown Road junction, to include new high intensity beacons, upgraded high friction surfacing on both sides and other associated works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of sight lines, road markings, signage, construction specifications and details, levels and sections, kerbing, drainage,

surface finishes and street lighting, and independent road safety audits covering all aspects of these works.

*Unless otherwise agreed in writing by the Local Planning Authority, **the development shall not be brought into use until the approved works have been implemented.***

Context for Proposed Re-wording of Conditions 23, 24 and 34:

In March 2025, S278 Technical Approval was granted by Kirklees Council.

Subsequent to this, Kirklees Council outlined their requirement to enter into a contract with Sirius (the contractor of whom will be completing the S278 works). This contract must be entered prior to the S278 Agreement being signed and the works therefore being undertaken.

Discussions are still ongoing between Sirius and Kirklees Council in relation to this contract. This in turn is delaying the ability for the S278 Agreement to be signed. The S278 works cannot therefore be undertaken at present.

Conditions 23, 24 and 34 currently require the S278 works relating to the Westgate and Quarry Road to be completed prior to occupation.

The first plots upon the development are to be occupied in November 2026.

In order to ensure that the completion of the works to Westgate and Quarry Road do not delay residents from occupying their homes and the associated regeneration of the Site, it is proposed that Conditions 23, 24 and 34 are reworded to require the works to be completed prior to the occupation of the 39th dwelling.

This amended trigger would enable the first two phases of the development to be completed whilst the contractual arrangements between Kirklees Council and Sirius are agreed and the S278 works are carried out.

We therefore request that the wording highlighted in bold above for each of the conditions is amended to refer to the works being carried out '**prior to the occupation of the 39th dwelling**'.

Application Documents:

As a result of the above changes, the following plans form part of this application:

- Site Layout (Dwg: BY00099-STH-B01-XX-DR-A SL001 Rev: W).
- External Works Sheet 1 (Dwg: QD1776-04-01 Rev: O).
- External Works Sheet 2 (Dwg: QD1776-04-02 Rev: O).

Summary

It is clear that the proposed changes are relatively minor in nature and I trust that you have all of the necessary information to validate the application.

If there is any further information required or any issues with any of the above, please do not hesitate to contact myself.

Yours faithfully,

Claire Linley

Planning Director

Strata

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