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Ms K Chew
Senior Planning Officer
Kirklees Council
Planning Services
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Date: 15 September 2026
Our ref: 65150/02/CD/RBa/41523997v1
Your ref: PP-14602425

Dear Ms Chew

Application for non-material amendment to Conditions 2 of Planning Permission 2025/70/91084/W

On behalf of our client, Kirklees Council, please find enclosed an application for non-material amendments to Planning Permission 2025/70/91084/W under Section 96A of the Town and Country Planning Act 1990 (as amended).

Planning permission was granted on the 13 May 2024 (ref. 2023/48/93350/W) for the: *"Development of former Deighton Centre (previously Deighton High School for a social emotional and mental health school (Use Class F1) comprising single and two storey educational buildings; roof mounted photo-voltaic panels; sensory garden spaces; multi-use games areas; landscaping; hardstanding areas; carparking; access with secure fencing and ancillary development."*

An application under Section 73 of the Town and Country Planning Act 1990 (as amended) was submitted in April 2025 which sought the variation of this approval to reflect proposed amendments to the building and external elements. The application was granted on the 03 July 2025 (ref. 2025/70/91084/W).

An application under Section 96A of the Town and Country Planning Act 1990 (as amended) was submitted in January 2026 which sought a number of non-material amendments to the scheme. This was granted on 29 January 2026 (re.2026/90154).

Proposed Amendments

Following discussions with school leaders, concerns were raised regarding the proposed use of gravel-filled cellular plastic pavers within the farm area. A key concern relates to the suitability of this surface within an SEMH school environment, as loose gravel could present both a throwing hazard and a potential ingestion risk.

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In addition, there are practical concerns associated with the use of gravel-filled cellular pavers in an area occupied by livestock. The gravel infill could make cleaning and ongoing maintenance more difficult, as animal waste may become trapped within the surface, reducing the effectiveness of cleaning and disinfection procedures and creating biosecurity risks. The surface could introduce risks in relation to animal welfare, including the potential for livestock to ingest loose gravel or sustain hoof injuries.

In response to these concerns, it is proposed to replace the gravel-filled cellular plastic pavers within the farm area with a permeable tarmac surface, which would provide a more durable, hygienic and easily maintained solution.

Application Submission

Pre-application discussions with officers confirmed that the above changes constitute non-material amendments (S96A).

This Section 96A application has been submitted via the Planning Portal (ref. PP-15183369) and is accompanied by the following plan:

- General Arrangement Plan Landscape Layout (ref. JNA DLA 00 00 D L 90001 revision C11)

The application fee of £298 + Planning Portal Service Charge has been paid via the Planning Portal.

Proposed Variations

Condition 2

This application seeks to vary condition 2 by updating the previously approved schedule of drawings to reflect the proposed amendment to the footpath. Table 1 below sets out the updated drawing reference for the General Arrangement Plan Landscape Layout.

Table 1

Approved Drawing	Updated Drawing
JNA DLA 00 00 D L 10010 revision P02	JNA DLA 00 00 D L 90001 revision C11

Summary

It is proposed to amend the gravel filled cellular plastic pavers within the farm area to permeable tarmac. Pre-application discussions with officers have confirmed that these changes constitute non-material amendments.

We look forward to receiving confirmation that the application has been validated and trust that you have all the information required to positively determine the application.

If you require any further information, please do not hesitate to contact me or my colleague Emma Gomersal.

Yours faithfully

Ryan Barrett
Senior Planner
MPlan (Hons) MRTPI