



Planning Services
Kirklees Metropolitan Council
PO Box 1720
Huddersfield
HD1 9EL

5 October 2026
PP-15201862

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
SECTION 96A (NON-MATERIAL AMENDMENT) APPLICATION TO PLANNING PERMISSION
REF: 2025/62/92598/E FOR MINOR AMENDMENTS TO FLOOR PLANS, ELEVATIONS, SITE
PLAN, AND ELECTRIC VEHICLE CHARGING CONDITION
CO-OP ACADEMY SMITHIES MOOR, LEEDS OLD RD, HECKMONDWIKE, WF16 9BB
PLANNING PORTAL REF: PP-15201862**

Please find enclosed a non-material amendment (NMA) application submitted on behalf of Bowmer and Kirkland Limited (B&K) for Co-Op Academy Smithies Moor (the School) and the Department for Education (the DfE) at the above site.

The application proposes minor changes to the floor plans, elevations and site plan, as well as to the electric vehicle charging condition (Condition 13), as approved by planning permission ref: 2025/62/92598/E.

In addition to this cover letter, please find enclosed the following updated documents which are submitted in support of this NMA application:

- Application Form
- General Arrangement Floor Plan (ref: SRP1128-PEV-01-00-D-A-1205 P04)
- General Arrangement Floor Plan (ref: SRP1128-PEV-01-01-D-A-1206 P05)
- Proposed Elevations (ref: SRP1128-PEV-01-ZZ-D-A-3105 P08)
- Proposed Roof Plan (ref: SRP1128-PEV-01-RF-D-A-1207 P08)
- Whole Site Plan (ref: SRP1128-ONE-ZZ-XX-D-L-0003 P14)

The planning application fee of £309, for a non-material amendment, has been paid directly to Kirklees Metropolitan Council via the Planning Portal (PP-15201862).

PLANNING BACKGROUND AND PROPOSAL

Full planning permission (ref: 2025/62/92598/E) was granted on 23 December 2025 for the following development:

“Redevelopment of school, including demolition of existing buildings and erection of replacement single storey school building with external works including provision of a forest school, hard and soft pe and play spaces, car and cycle parking, bin store, sub-station, pedestrian, vehicle access, and landscaping”

On behalf of the School and the DfE, B&K are now progressing the delivery of the approved scheme. However, as the detailed design has developed, a number of minor amendments to the approved drawings and planning conditions have been identified. These amendments are required

to facilitate the delivery of the development and to ensure that the approved plans accurately reflect the scheme that will be constructed.

The proposed amendments comprise minor revisions to the internal layout of the building, updates to the approved elevations, amendments to the approved site layout and a minor revision to the trigger associated with the provision of car parking spaces served by electric vehicle charging points (EVCPs). The revised drawings also now include the final arrangement and details of elements that were previously shown indicatively on the approved plans (such as MEP, bio solar roof, and bat and bird boxes).

The approach to regularising these changes via a non-material amendment application was agreed in principle with the planning team (Katie Pickering) on 30 September 2026.

The proposed amendments are listed below against the affected drawing or condition:

Ground Floor Plan: Changes to the internal floor plan reflecting minor design refinements agreed with the school to improve the building's functionality, storage provision, circulation and supervision arrangements.

Elevations and Roof Plan: The elevations and roof plan have been updated to reflect the final detailed design of the approved development. This includes the confirmed location of rooftop MEP equipment, approved external materials, bird and bat boxes and minor refinements to brick coursing details around building corners.

The rooftop MEP equipment was shown indicatively on the approved drawings and is now shown in its confirmed form and location for completeness. Similarly, the external materials and the provision of bird and bat boxes have been updated to reflect the details approved by discharge of condition application 2026/90790 and the approved Biodiversity Enhancement Plan.

The brick coursing has also been amended locally at the building corners because the specified construction system does not allow the stack-bonded arrangement to continue around corner details. Stretcher bond is therefore proposed only on the sections of brickwork that wrap around the corners.

Whole Site Plan: The Whole Site Plan has been updated to show a GRP housing associated with the approved electricity infrastructure (LV switch room) and associated footpath, together with a widened section of perimeter footpath to the eastern corner of the building and an additional access gate to the MUGA.

The footpath and gate amendments are minor operational changes intended to improve access and circulation around the site.

The LV switch room is shown on the amended drawings for completeness and to ensure that the plans accurately reflect the infrastructure required to serve the approved development. While the location of this was shown indicatively on the landscape plans approved under discharge of condition application ref. 2026/90259 as being near the new pedestrian access, the confirmed position is required due to the proximity of the existing sub-station located immediately outside the site boundary.

Electric Vehicle Charging Point Provision: The proposed amendment to Condition 13 seeks to revise the trigger for the installation of electric vehicle charging points to require their provision within six months of occupation of the new school building, instead of prior to the use of the building commencing. The amendment is necessary to reflect the agreed construction phasing of

the development, whereby the new school building will be occupied prior to completion of the associated car park. As a result, it is not possible for the charging points to be installed prior to occupation of the building, as currently required by the condition. The revised trigger will ensure that the charging points are delivered within a reasonable timeframe following occupation, whilst allowing the approved development to be implemented in accordance with the agreed construction programme and site phasing.

The amendment would alter only the timing of installation and would not change the number, specification, location or long-term retention of the approved charging points.

PROPOSED AMENDMENTS

The proposed amendments require the following changes to be made to Conditions 2 and 13 to reflect the updated drawings and condition wording (as shown in red).

Condition 2:

'2. The development hereby permitted shall be carried out in accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.'

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP7, LP20, LP21, LP22, LP24, LP26, LP27, LP28, LP30, LP32, LP33, LP47, LP49, LP50, LP51, LP52, LP53 and LP61 of the Kirklees Local Plan and Chapters 2, 4, 8, 9, 11, 12, 14 and 15 of the National Planning Policy Framework.'

[Extract from approved plans schedule below, including affected drawings only]

Plan Type	Reference of plan approved under 2025/92598	Reference of revised plan
General Arrangement Floor Plan	SRP1128-PEV-01-00-D-A-1205-C01	SRP1128-PEV-01-00-D-A-1205 P04
General Arrangement Floor Plan	SRP1128-PEV-01-01-D-A-1206-P02	SRP1128-PEV-01-01-D-A-1206 P05
Proposed Elevations	SRP1128-PEV-01-ZZ-D-A-3105-P04	SRP1128-PEV-01-ZZ-D-A-3105 P08
Proposed Roof Plan	SRP1128-PEV-01-RF-D-A-1207-P02	SRP1128-PEV-01-RF-D-A-1207 P08
Whole Site Plan	SRP1128-ONE-ZZ-XX-D-L-0003-P11	SRP1128-ONE-ZZ-XX-D-L-0003 P14

Condition 13

"13. Electrical Vehicle Charging Points shall be ~~installed within six months following first occupation of the new school building prior to the use of the new school building hereby approved commencing~~, in accordance with EV Charging Point Details RIBA Stage 4 – Technical Design, ref: SRP1128-HNS-01-00-D-E-9022_P02, Rev P02, authored by Hensall, dated 14/11/2025, received 27/11/2025, and no change from thereon shall take place without the prior written consent of the Local Planning Authority. Once installed, the approved electric vehicle charging points shall be maintained and retained thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).'

Non-Material Amendment Approach

Planning Guidance (Paragraph: 002 Reference ID: 17a-002-20140306) states that:

“There is no statutory definition of ‘non-material’. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.”

The proposed amendments are minor in nature and do not alter the overall nature, scale or form of the development approved under planning permission ref. 2025/62/92598/E.

The changes largely comprise detailed design refinements, the confirmation of elements previously shown indicatively, and minor operational amendments required to facilitate the delivery and operation of the approved scheme.

The amendments do not result in any material change to the appearance of the development, its use, floor area, site coverage, access arrangements, or its relationship with neighbouring properties. As such, there would be no additional impacts on residential amenity, highway safety, ecology or other material planning considerations beyond those already assessed as part of the original planning application. The amendments simply ensure that the approved drawings and conditions accurately reflect the final scheme to be delivered.

As such, the proposed changes constitute non-material amendments under Section 96A of the Town and Country Planning Act 1990 and this approach was agreed in principle via email with the Council prior to the submission of the application.

CONCLUSION

We trust that the information provided clearly demonstrates the minor and operationally necessary nature of the proposed amendments and that they do not introduce any additional impacts. Given the limited scope of the proposed amendments, we respectfully request that the application be approved at the earliest opportunity.

We look forward to the validation and determination of the application. In the meantime, should you require anything further, please do not hesitate to contact me.

Yours faithfully

Fraser Dann
Associate