



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

PP-15165309
UK0043290.2281
20 October 2026

Dear Katie,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
SECTION 96A (NON-MATERIAL AMENDMENT) APPLICATION TO PLANNING PERMISSION
REF: 2026/90937 (REDEVELOPMENT OF SCHOOL) FOR PROPOSED MINOR AMENDMENTS
TO APPROVED LAYOUT
GOMERSAL ST MARY'S PRIMARY SCHOOL, SHIRLEY AVE, GOMERSAL, BD19 4NA**

On behalf of Bowmer and Kirkland Limited (B+K) for Gomersal St Mary's Primary School and the Department for Education (The DfE), enclosed is an application proposing minor changes to the layout associated with planning permission ref: 2026/90937.

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

- Application Form and Ownership Details
- Whole Site Plan – SRP1134-ONE-ZZ-XX-D-L-0003 P14
- Site Landscaping Plan – SRP1134-ONE-ZZ-XX-D-L-0006 P05
- General Arrangement External Area Provision – SRP1134-ONE-ZZ-XX-D-L-0007 P07
- General Arrangement Green Infrastructure Plan – SRP1134-ONE-ZZ-XX-D-L-0008 P07
- Tree Retention Plan – SRP1134-ONE-ZZ-XX-D-L-0010 P06
- Hard Landscape General Arrangement Plan – SRP1134-ONE-ZZ-XX-D-L-0013 P03
- Fencing & Gate Schedule – SRP1134-ONE-ZZ-XX-D-L-0014 P04
- General Arrangement External Works Plan – SRP1134-ONE-ZZ-XX-D-L-0015 P04
- Planting Strategy Plan – SRP1134-ONE-ZZ-XX-D-L-0201 P06
- Soft Landscape General Arrangement Plan – SRP1134-ONE-ZZ-XX-D-L-0202 P04
- Detailed Planting Plan – SRP1134-ONE-ZZ-XX-D-L-0203 P06
- Soft Landscape Typical Details – SRP1134-ONE-ZZ-XX-D-L-0607 P02
- Access Security Strategy – SRP1134-ONE-ZZ-XX-D-L-0004 P06
- Normandie Bin Bay Typical Details – SRP1134-ONE-ZZ-D-L-0608 P02
- Outline Levels – SRP1134-ONE-ZZ-XX-D-L-0402 P04
- Site Sections – SRP1134-ONE-ZZ-XX-D-L-0401 P05
- Site Sections East Boundary – SRP1134-ONE-ZZ-XX-D-L-0403 P04
- Vehicle Circulation Strategy – SRP1134-ONE-ZZ-XX-D-L-0005 P06
- Drainage Layout – SRP1134-HEX-ZZ-ZZ-D-C-9200-P09
- Proposed Catchment Areas Plan – SRP1134-HEX-ZZ-ZZ-D-C-9230-P03
- Flood Exceedance Plan – SRP1134-HEX-ZZ-ZZ-D-C-9231-P04
- Sewer Abandonment Plan (DEIR Ref: 203, 165) – SRP1134-HEX-ZZ-ZZ-D-C-9255-P03

- Arboricultural Impact Assessment and Method Statement – SRP1134-ADA-XX-XX-T-O-0003 P05
- BNG Baseline – 07 28/09/2026
- Biodiversity Enhancement Plan – SQ-4931 (SQ-4441) V4 09/10/2026
- Biodiversity Gain Plan – 9th October 2026
- BNG Metric – V5 12/11/2025
- BNG Post Development – 28/09/2026 v09
- Biodiversity Net Gain Report – SQ-4480.SQ-4931.V5
- DEIR 084 – Lighting Strategy Report – SRP1134-RPS-XX-XX-T-E-0004-C03
- External Lighting Layout – SRP1134-HNS-01-ZZ-D-E-6340 C01
- Elevations Sheet 1 - SRP1134-PEV-01-ZZ-D-A-3100 P07
- Elevations Sheet 2 - SRP1134-PEV-01-ZZ-D-A-3101 P07

The planning application fee of £309, for a non-material amendment, has been paid directly to Kirklees Council via the Planning Portal (PP-15165309).

BACKGROUND AND PROPOSALS

Full planning permission was granted on 24 July 2026 (ref: 2026/90937) for the following:

“Redevelopment of school, including demolition of existing buildings and construction of replacement single storey building with external works including provision of hard and soft PE and play spaces, sub-station and associated landscaping, as well as installation of temporary building during construction.”

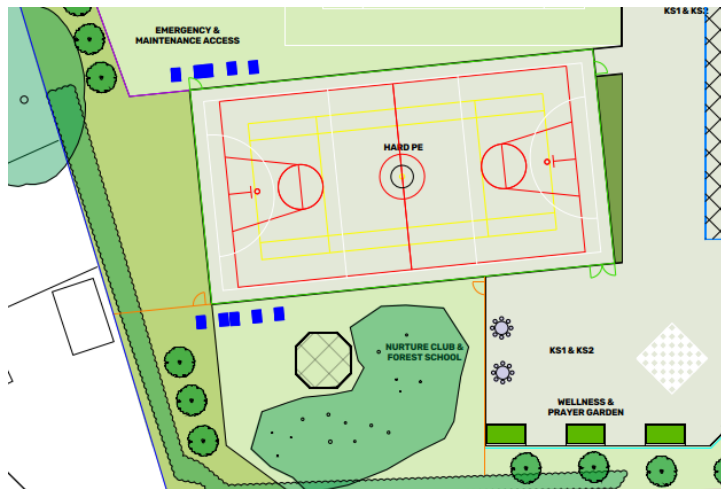
B+K is now progressing towards the delivery of the approved scheme, including discharging conditions; of which several have already been discharged. However, as the detailed design of the scheme has progressed, the requirement for some small changes has become apparent. These include:

- Change to Hard PE area positioning
- Reduced size power kiosk
- Alterations to landscaping to the northeast
- Omission of one gate and associated access into Hard PE area
- Informal grassed area instead of planting to east of Hard PE area
- Lighting strategy – addition of low-level bollard lights
- Change of attenuation tank shape
- Alterations to brick work

These changes are reflected in the enclosed amended and additional information and discussed below.

Change to Hard PE Area positioning

The hard PE area is proposed to be moved approximately 1.5m to the west to allow the drainage inspection chambers to be located outside of the playing area. This will ensure the drainage system can be accessed and maintained without affecting use of the hard PE area. Extracts from the approved and revised whole site plans have been provided below for comparison (the repositioned hard PE area remains within the location of the existing hard PE area).



Approved Whole Site Plan P10



Amended Whole Site Plan P14

Reduced size power kiosk

The power kiosk has been reduced in size during the design process. The smaller kiosk still meets the operational requirements of the development while taking up less space on the site. The kiosk remains in the same location and the approved footpath arrangement is unchanged.

Alterations to landscaping to the northeast

The approved scheme included an instant hedge screen along the north-east boundary to address privacy concerns from neighbouring properties. The proposed amendment seeks to retain and manage the existing vegetation where it is already present, rather than replacing it with new hedging. The existing vegetation is taller and denser than the approved instant hedge screen and therefore provides an equivalent, if not improved, level of screening. Neighbours on the opposite side of the boundary have also requested that the vegetation is cut back and managed where necessary and the applicant is happy to accommodate this request. Instant hedging will still be provided in locations where no existing vegetation exists, and the total number of trees proposed across the site remains unchanged. The submitted landscaping plans reflect the above minor amendments and the impact on biodiversity net gain as a result of the landscape changes is negligible. As opportunities for habitat creation within the site have been fully maximised, 2.71 off-site biodiversity units are required to offset the residual loss and secure the mandatory 10% Biodiversity Net Gain which reflects the same number of units approved as part of the approved Biodiversity Gain Plan Condition. The Biodiversity Gain Plan Condition will be re-discharged to reflect this minor change.

Omission of one gate and associated access into Hard PE area

One gate and the associated access point into the hard PE area are proposed to be removed due to the required soil cover above the attenuation tank. This amendment is necessary to accommodate the drainage infrastructure while ensuring appropriate cover levels are maintained above the tank.

Informal grassed area instead of planting to east of Hard PE area

A small area of planting to the east of the Hard PE area is proposed to be replaced with an informal grassed area. This change is required due to the wider layout amendments proposed as part of the NMA and ensures the landscape design aligns with the revised site layout. The

amendment is minor in nature and does not affect the overall landscaping strategy, biodiversity net gain figures or appearance of the development.

Lighting changes

The lighting strategy has been updated to include a small number of low-level bollard lights, which were not shown on the previously approved drawings. These have been introduced to ensure appropriate illumination is provided along the escape route leading to the hard play area, which will serve as the school's designated assembly point in the event of an emergency. The amendment is minor in nature and is required to support safe movement and emergency evacuation procedure.

Change of Attenuation Tank Shape

The proposed attenuation tank has been amended to allow the installation of the EFAB unit and for the construction of the attenuation tank to be installed in line with the agreed programme for the construction of the School.

Brickwork Alterations

The approved brick bond has been revised from a stacked bond arrangement to a stretcher bond. As part of this change, the depth of the black brick surround has been reduced from 1.5 bricks to 1 brick. Minor adjustments have also been made to the positions of certain windows and doors to align with the revised bond pattern. These changes are very minor and are reflected in the updated elevation drawings.

PROPOSED AMENDMENTS

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 approved scheme is for the redevelopment of Gomersal St Mary's CE Primary School, and the proposed changes do not affect the nature or overall design intent. The changes are small in scale and ensure that, from a technical perspective, the scheme can be delivered. On that basis, we consider the changes to be non-material in the context of the overall scheme.

The approach to regularising the changes via a non-material amendment application has been agreed informally via email (dated 20 August 2026) with the case officer Katie Pickering (Planning Officer – Major Developments Team).

To regularise the proposed changes, we are seeking to amend Condition 2 (approved plans and documents).

Condition 2

Condition 2 requires the development to be carried out in accordance with a schedule of approved plans and documents. In Table 1 below, we have listed the documents that we propose to update as part of this application, and the references of the updated versions.

Please note that Table 1 does not include any documents unaffected by this application – it is proposed for those to remain in the schedule as they are.

Table 1: Proposed amendments to Condition 2 Plans Schedule

Plan Type	Approved Plan Ref.	Amended Plan Ref.
Whole Site Plan	SRP1134-ONE-ZZ-XX-D L-0003 P10	SRP1134-ONE-ZZ-XX-D L-0003 P14
Site Landscaping Plan	SRP1134-ONE-ZZ-XX-D L-0006 P04	SRP1134-ONE-ZZ-XX-D L-0006 P05
General Arrangement External Area Provision	SRP1134-ONE-ZZ-XX-D-L-0007 P05	SRP1134-ONE-ZZ-XX-D-L-0007 P07
General Arrangement Green Infrastructure Plan	SRP1134-ONE-ZZ-XX-D-L-0008 P05	SRP1134-ONE-ZZ-XX-D-L-0008 P07
Tree Retention Plan	SRP1134-ONE-ZZ-XX-D-L-0010 P04	SRP1134-ONE-ZZ-XX-D-L-0010 P06
Hard Landscape General Arrangement Plan	SRP1134-ONE-ZZ-XX-D-L-0013 P02	SRP1134-ONE-ZZ-XX-D-L-0013 P03
Fencing & Gate Schedule	SRP1134-ONE-ZZ-XX-D-L-0014 P02	SRP1134-ONE-ZZ-XX-D-L-0014 P04
General Arrangement External Works Plan	SRP1134-ONE-ZZ-XX-D-L-0015 P02	SRP1134-ONE-ZZ-XX-D-L-0015 P04
Planting Strategy Plan	SRP1134-ONE-ZZ-XX-D-L-0201 P04	SRP1134-ONE-ZZ-XX-D-L-0201 P06
Soft Landscape General Arrangement Plan	SRP1134-ONE-ZZ-XX-D-L-0202 P03	SRP1134-ONE-ZZ-XX-D-L-0202 P04
Detailed Planting Plan	SRP1134-ONE-ZZ-XX-D-L-0203 P04	SRP1134-ONE-ZZ-XX-D-L-0203 P06
Soft Landscape Typical Details	SRP1134-ONE-ZZ-XX-D L-0607	SRP1134-ONE-ZZ-XX-D L-0607 P02
Access Security Strategy	SRP1134-ONE-ZZ-XX-D L-0004 P05	SRP1134-ONE-ZZ-XX-D L-0004 P06
Normandie Bin Bay Typical Details	SRP1134-ONE-ZZ-D-L 0608 P01	SRP1134-ONE-ZZ-D-L 0608 P02
Outline Levels	SRP1134-ONE-ZZ-XX-D L-0402 P03	SRP1134-ONE-ZZ-XX-D L-0402 P04
Site Sections	SRP1134-ONE-ZZ-XX-D L-0401 P03	SRP1134-ONE-ZZ-XX-D L-0401 P05
Site Sections East Boundary	SRP1134-ONE-ZZ-XX-D L-0403 P02	SRP1134-ONE-ZZ-XX-D L-0403 P04
Vehicle Circulation Strategy	SRP1134-ONE-ZZ-XX-D-L-0005 P05	SRP1134-ONE-ZZ-XX-D-L-0005 P06

Drainage Layout	SRP1134-HEX-ZZ-ZZ-D-C-9200 P06	SRP1134-HEX-ZZ-ZZ-D-C-9200-P09
Proposed Catchment Areas Plan	SRP1134-HEX-ZZ-ZZ-D-C-9230 P02	SRP1134-HEX-ZZ-ZZ-D-C-9230-P03
Flood Exceedance Plan	SRP1134-HEX-ZZ-ZZ-D C-9231 P02	SRP1134-HEX-ZZ-ZZ-D-C-9231-P04
Sewer Abandonment Plan Deir Ref: 203, 165	SRP1134-HEX-ZZ-ZZ-D C-9255 P01	SRP1134-HEX-ZZ-ZZ-D-C-9255-P03
Arboricultural Impact Assessment and Method Statement	SRP1134-ADA-XX-XX-T O-0004 P04	SRP1134-ADA-XX-XX-T-O-0003 P05
BNG Baseline	02 12/11/2025	07 28/09/2026
Biodiversity Enhancement Plan	SQ-4441 02/06/2026	SQ-4931 (SQ-4441) V4 09/10/2026
Biodiversity Gain Plan	28 th July 2026	9th October 2026
BNG Metric	V4 12/11/2025	V5 12/11/2025
BNG Post development	01/06/2026 v07	28/09/2026 v09
Biodiversity Net Gain Report	SQ-4480 3	SQ-4480.SQ-4931.V5
DEIR 084 – Lighting Strategy Report	SRP1134-RPS-XX-XX-T E-0004-P01	SRP1134-RPS-XX-XX-T-E-0004-C03
External Lighting Layout	SRP1134-RPS-ZZ-ZZ-D-E-6322 P02	SRP1134-HNS-01-ZZ-D-E-6340 C01
Elevations Sheet 1	SRP1134-PEV-01-ZZ-D-A-3100 P04	SRP1134-PEV-01-ZZ-D-A-3100 P07
Elevations Sheet 2	SRP1134-PEV-01-ZZ-D-A-3101 P04	SRP1134-PEV-01-ZZ-D-A-3101 P07

Condition 13

Condition 13 states the following:

Before first occupation of the permanent new school building hereby approved, landscaping/planting works shall be carried out strictly in accordance with the below:

- *Landscape Management Plan Drawing No. SRP1134-ONE-00-XX-T-L-0003, Rev P02;*
- *Whole Site Plan Drawing No. WSRP1134-ONE-ZZ-XX-D-L-0003, Rev P09;*
- *Site Landscaping Plan Drawing No. SRP1134-ONE-ZZ-XX-D-L-0006, Rev P04;*
- *Hard Landscape General Arrangement Drawing No. SRP1134-ONE-ZZ-XX-D-L-0013,*

- Rev P02;
- Soft Landscape General Arrangement Drawing No. SRP1134-ONE-ZZ-XX-D-L-0202, Rev P03;
- Detailed Planting Plan Drawing No. SRP1134-ONE-ZZ-XX-D-L-0203, Rev P03.

The works shall thereafter be carried out in accordance with the management and maintenance plan. If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

Condition 13 needs to be amended to update the approved drawing references to the revised landscaping plans submitted as part of this NMA. This is required because the proposals include amendments to the overall site plans and landscaping scheme.

Other conditions

Although the amendments proposed through the NMA are minor in nature, they affect a number of approved site plans and drawings. As a result, some of the conditions on the decision notice should also be updated where they specifically reference plans that are being amended as part of this application. Conditions 9, 10, 11, 12, 15, 16, 17, 22, 23, 32 and 33 refer to the Whole Site Plan, Hard PE area, Soft PE area, drainage layout, lighting strategy or cycle parking arrangements that require the approved drawings to be updated.

Whilst these conditions would not require any major changes to their wording, the plan references within them would need be updated to reflect the revised drawings approved through this NMA. This would ensure consistency between the amended plans and the decision notice.

CONCLUSION

This NMA application seeks to amend the planning permission to regularise the layout revisions as detailed above.

These changes reflect updated technical and design requirements of the scheme.

The proposed changes are subtle and do not materially change the function or character of the approved scheme. On this basis, we consider that the proposed changes are non-material in nature, and this approach has been agreed informally via email with the Council.

I trust the enclosed is sufficient to register and determine the application. In the meantime, should you require anything further please do not hesitate to contact me.

Yours faithfully,

Catrin Stephens BSc (Hons) MSc MRTPI
Senior Planner, WSP