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Planning

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Paul Kemp
Service Director
Economy, Regeneration and Culture

Date: 05-Jun-2018
Our Ref: 2018/91129

Dear Sir

Application for Modification of Section 106 Town and Country Planning Act 1990 (Section 106A)

**Modification of Section 106 obligation relating to previous permission 2000/91263
for erection of 2 retail warehouse units with associated car parking, servicing and
landscaping**

Unit 8A, Birstall Shopping Park, Holden Ing Way, Birstall, Batley, WF17 9DT

Application Number: 2018/91129

The modification of a section 106 agreement dated 24th January 2001 between the Council of the Borough of Kirklees (1) Britel Fund Trustees Limited and Pillar (Birstall) Limited and Birstall Co-ownership Trust (2) and Argent Group Investments Limited (3) and Toys R Us Limited (4) and MFI Properties Limited (5) in relation solely to Unit 8A Birstall Shopping Park, Birstall. Clause 2.3 of the First Schedule of the section 106 agreement is hereby deleted to allow the unrestricted retail use of the mezzanine floorspace within unit 8A in accordance with Class A1 of the Town and Country Planning (Use Classes) Order 1987

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	A10-00-01		05.04.18
Copy of previous Section 106 agreement			05.04.18
Existing Plans and Elevations	A20-00-01		05.40.18
Proposed Plans	A20-00-02		05.04.18
Covering Letter	L1800409 SAV Cover		05.04.18



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Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer did not undertake negotiations with the applicant as the application was considered to be acceptable as submitted.

Yours faithfully

Julia Steadman
Team Leader