



Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL

Enquiries to: Nick Hirst

Andy Jones,
Miller Homes
Lapwing House
Calder Park
Wakefield
WF2 7UA

Kirklees Direct
Tel: 01484 221000
Email: nick.hirst@kirklees.gov.uk

Date: 06-Nov-2023
Our Ref: 2023/92121

Dear Sir,

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Modify Section 106 Agreement relating to previous permission 2019/91467
(APP/Z4718/W/21/3279040) for erection of 67 dwellings with associated access and
parking
land south of, Granny Lane, Mirfield
Application Number: 2023/92121**

I write with reference to your application to modify the S106 Obligation for the above development, as submitted on 17-Jul-2023.

For information:-

1) The Council has determined that in accordance with s.106A(6)(c) of the Town and Country Planning Act 1990 the planning obligation continues to serve a useful purpose, but would serve that purpose equally well if it had effect subject to the modification(s) specified in the application and the obligation shall have effect subject to those modification(s).

Permission is granted for the modification of the planning obligation detailed in the S106 Agreement, dated 14th December 2021 as varied by S106 Deed of Variation dated 21.12.21. This specifically relates to the deletion of paragraph 1.6.4 of Schedule 2 in accordance with your application received on the 17th July 2023 documents which form part of the application, subject to the Deed of Variation dated the 22nd of September 2023.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan	GRY /LOC		06.11.2023

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse the desired variation, then you can appeal to the Secretary of State under section 106B of the Town and Country Planning Act 1990 as amended.

If you want to appeal, you must do so using a form which you can obtain from www.gov.uk/government/organisations/planning-inspectorate or by email from enquiries@pins.gsi.gov.uk or by phoning 0303 444 5000.

You must send one copy of the completed form to DC.Admin@kirklees.gov.uk or via post to 'Kirklees Council, Planning & Development Service, PO Box 1720, Huddersfield HD1 9EL', as well as to the Planning Inspectorate at the address on the form. Kirklees Council Planning and Development Service PO Box 1720 Huddersfield HD1 9EL.

If you intend to submit an appeal that you would like examined by inquiry, you should notify the Local Planning Authority (DC.Admin@kirklees.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) of your intention to appeal a minimum of 10 working days before the appeal is submitted to the Planning Inspectorate.

The notification form and further guidance is available at www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal

Yours faithfully,

Mathias Franklin
Head of Planning and Development