Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield

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Joshua Brodrick,
Miller Homes Yorkshire
Lapwing House
Peel Avenue
Wakefield
WF2 7UA

Date: 12-Jan-2024
Our Ref: 2023/93453

Dear Sir,

Application for a non-material amendment following a grant of planning permission, Town and Country Planning Act 1990

Non material amendment 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, WF14 8LA
Application Number: 2023/93453

Thank you for your application dated 22-Nov-2023 for a non-material amendment to the above scheme. The amendments sought are as follows:

- Substitute plans to show a variation to the layout of the emergency vehicle access connecting the site to Granny Lane. The approved plans had the access having a curved route, whereas the proposal amendment is for a straight road.

These amendments are detailed as per the following plans / documents:

- Plan ref: EVA-01
- Plan titled Flood Zone Overlay

I confirm that the alterations are acceptable as a non-material amendment to the approved drawings and are hereby approved.

Notwithstanding the above, be aware that the proposed amendments would necessitate a new Discharge of Condition application pursuant to condition 8. Condition 8 has previously had a detailed approval via Discharge of Condition application ref: 2022/90930. However, condition 8 also states '*The approved scheme shall be fully implemented prior to the occupation of any dwellings and retained thereafter*'. Therefore, implementing the emergency access in accordance with the proposed amendment would result in a scheme

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which would not adhere to the details approved via 2022/90930. Therefore, condition 8 would need to be re-discharged with updated details that reflect the proposed amendment.

For completeness, condition 8 is repeated below:

> *8. The development hereby approved (excluding demolition) shall not commence until a scheme detailing the design, construction, operation, maintenance and management of the emergency access road and surface water flood route pathways to avoid curtilage flooding has been submitted to and approved in writing by the Local Planning Authority. The details of the emergency access shall include the following:*
>
> *a) Details of the road width (to be minimum of 3.7m between kerbs);*
> *b) Details of the gateway width (to be a minimum of 3.1m) and visibility splay;*
> *c) Details of carrying capacity (to be a minimum of 32 tonnes);*
> *d) Details of any removable bollards of gate barriers.*
>
> *The approved scheme shall be fully implemented prior to the occupation of any dwellings and retained thereafter.*

It should be noted that this letter relates only to the non-material amendment sought and it is not a re-issue of the original planning permission. The two documents should be read together and as such, all conditions imposed on the original granting of planning permission apply to the proposal as now amended. A copy of this letter and the amended plans will be retained on the public record of approved documents.

I would draw your attention to the need to deal with the Building Surveyor to ensure that the proposal, as amended, still complies with the Building Regulations.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Yours faithfully

Mathias Franklin
Head of Planning and Development