

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

**Town and Country Planning Act 1990 (as amended) Section 106A &
106BA**

**DELEGATED DECISION FOR APPLICATION FOR DISCHARGE OR
MODIFICATION OF SECTION 106 AGREEMENT**

Reference no.	2024/54/91503/W
Site	1 Row Street, Crosland Moor, Huddersfield, HD4 5BB
Description	Modification of Section 106 agreement relating to previous permission 2015/92227 for erection of 19 dwellings (as amended by permission 2023/91259) - deletion of affordable housing requirement
Case Officer	Louise Bearcroft
Decision Reference	2024/91503

**I hereby authorise the approval of this application for the reasons set
out in the officer's report and recommendation annexed below in
respect of the above matter.**

Victor Grayson

AUTHORISED OFFICER

Date 18/06/2025

Decision Authorisation: Committee Decision

Committee: Strategic Planning Committee

Date of Committee: 15/05/2025

Application Number: 2024/91503

Officer Recommendation: Approve

Committee Decision: Approve

For information:-

1) The Council has determined that in accordance with Section 106A(6)(b) of the Town and Country Planning Act 1990 the planning obligation regarding affordable housing no longer continues to serve a useful purpose and that it shall be discharged.

Permission is granted for the discharge of the planning obligation detailed in the Section 106 Agreement dated 03/02/2017 as varied by the Section 106 Deed of Variation dated 24/01/2024. This specifically relates to the deletion of Section 3 of Schedule 2 in accordance with your application received on the 07/08/2024.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan	1598-001		07/08/2024
Viability Assessment	n/a		07/08/2024
Property Valuation Plot 1 & Plot 2	TW/PH/SV-PL1-PL2		07/08/2024
Property Valuation Plot 3 to Plot 19	TW/PH/SV-PL3-PL19		07/08/2024

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