

28 March 2025

Planning Department
Kirklees Council

By email only
Planning Portal Reference: PP-13900139

Dear Sir / Madam,

LAND AT YEW TREE ROAD, BIRCHENCLIFFE, HUDDERSFIELD

MINOR MATERIAL AMENDMENT TO APPLICATION 2021/94363: VARIATION OF CONDITIONS 1, 2, 6, 7, AND 14

On behalf of the applicant, Newett Homes, we hereby submit a minor material amendment planning application to make changes to Planning Permission 2021/94363 which was granted in May 2024. This planning application relates to the construction of 17 dwellings and associated works at Yew Tree Road, Birchencliffe.

Following an agreement with the existing landowner, the site will now be delivered by Newett Homes who have a record of successfully delivering new homes in the Kirklees area. As such it is proposed to make minor alterations to the approved scheme and to amend house types to reflect the product offered by Newett Homes. The revised design picks up on the design intent of the approved scheme whilst continuing to provide a well-designed development that meets the requirements of Newett Homes.

The proposed changes to the layout are not considered to be significant, and the overall design intent of the proposal remains in line with the original planning permission. The amendments do not seek to alter the overall design principles of the development and it is considered that the proposal remains in accordance with the Development Plan.

In terms of addressing the changes through a Minor Material Amendment application, it is proposed to list of approved drawings and documents set out under condition 1, as well as amending the wording of conditions 2, 6, 7, and 14 to include references to new documents and drawings. The proposed changes are set out below.

Condition 1

As set out above, it is necessary to amend the approved drawing and document schedule attached to condition 1 to reflect that Newett Homes will now be delivering the consented development. Revised drawings and relevant documents are submitted as part of this application and the approved schedule should be updated to include the following:

- Location Plan – Z234.001

- Planning Layout – Z234.002
- Materials Plan – Z234.006
- Boundary Treatment Plan – Z234.008
- Composite Planning Layout – Z234.009
- House Type Pack – Z234.011
- Landscape Masterplan – DR-5871-03 P03
- Ecological Design Strategy - ER-5871-01A
- Biodiversity Net Gain Assessment - ER-8352-03A
- Engineering Plan – STE/25/03/01
- Landscape Management Plan - LMP-5871-01.03

For clarity all other documents listed in the current schedule attached to condition 1 remain valid and can remain on the revised schedule.

Condition 2

Condition 2 relates to the submission of external materials for the roof and walls of the approved houses. However, drawing Z234.006 provides details on external materials and as such it is proposed to amend the condition so that it reads:

The development shall be built in accordance with the approved materials shown on drawing Z234.006 and retained thereafter.

Condition 6

Condition 6 relates to hard and soft landscaping. As set out above, a revised landscape masterplan is submitted to address the proposed changes to the layout. As such it is proposed to amend the condition so that it reads:

All hard and soft landscape works shall be carried out in accordance with the approved landscape masterplan referenced DR-5871-03 P03. The works shall be carried out prior to the occupation of any part of the development or in accordance with an implementation programme agreed with the local planning authority.

Condition 7

Condition 7 relates to the Landscape Management Plan which has also been amended to address the changes to the layout. As such it is proposed to amend the condition to read:

The development shall be carried out in full accordance with the Landscape Management Plan hereby approved reference LMP-5871-01.03 and shall be retained for the lifetime of the development.

Condition 14

Condition 14 relates to the approved Ecological Design Strategy which has been updated to address the changes to the scheme. As such it is proposed that the condition is amended to read:

Development shall be carried out in complete accordance with the approved Ecological Design Strategy by Brooks Ecological (reference ER-5871-01A) and all features shall be retained as such after.



In summary, this minor material amendment application seeks to make minor changes to the scope of the proposed development to reflect that the scheme will now be delivered by Newett Homes. As such it is necessary to amend the schedule set out under condition 1 and amend the wording of conditions 2, 6, 7, and 14 contained on the previous decision notice attached to application 2021/94363.

We trust that the minor material amendment application can be approved based on the information submitted. However, if I can be of any further assistance then please do not hesitate to contact me.

Yours faithfully,

Pete Gleave MCD MRTPI
Director