KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 96A

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR NON-MATERIAL AMENDMENTS

Reference No:	2018/NM/92412/W
Site Address:	23, Yew Street, Fartown, Huddersfield, HD2 2RN
Description:	Non material amendment to previous permission 2016/91488 for demolition of existing garage and erection of single storey rear extension
Recommending Officer:	Sam Jackman

DECISION – non-material amendment approved.

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 01-Aug-2018

Officer Report

Reference- 2018/**92412**

Applicant- **S Anjum**
23 Yew Street
Fartown
Huddersfield
HD2 2RN

Location- **23 Yew Street, Fartown, Huddersfield, HD2 2RN**

Proposal- **NMA to previous approval for the demolition of existing garage and erection of single storey rear extension**

Site Description:
The application relates to a two storey, terraced property in Fartown, Huddersfield. The property is designed in stone walls, slate roof tiles and UPVC windows and doors. The property has amenity space to the rear including a detached garage/ outbuilding. The property has a boundary wall and fence surrounding the property to the rear. It can be accessed via Yew Street.

The application site is wholly residential characterised by mainly terraced and semi-detached properties. Further away there are recreation grounds west to the application site and north east sport facilities both allocated as Urban Green Space in the Unitary Development Plans maps.

Description of Proposal:

The application is seeking a Non-Material Amendment to an application previously approved under application number 2016/91488 for the erection of a single storey rear extension.

Approved plans

http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2016/91488&file_reference=594563

NMA plans

http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2018/92412&file_reference=701073

The amendment relates to the link extension into the conservatory, where previously it was curved link, where the proposal is now for a squared link. Bar removing the curve the dimensions of the link would remain the same. It

is also proposed to add a door to the north elevation of the link. There was no door in the curved section of the approved plan.

The overall width and length, bar the removal of the curved element, is unchanged.

Relevant Planning History:

2016/91488 - Demolition of existing garage and erection of single storey rear extension
2015/93792 Prior notification for single storey rear extension
NA Details approved

Assessment

The application is for a Non-Material Amendment for making a squared link in to the conservatory rather than the proposed curve.

The Council has adopted a protocol to deal with Non-Material Amendments. This states that the four tests as to the acceptability of a change to an approved scheme under the Non-Material Amendment procedure are:

Is the proposed change inconsequential in terms of scale (magnitude, degree etc) in relation to the original approval? **YES**
If so, the three further tests need to be applied as follows:
In the Authority's view would the proposed change result in a detrimental impact either visually or in terms of living conditions? **NO**
In the Authority's view would the interests of a third party or body who participated in or were informed of the decision be disadvantaged in any way? **NO**
In the Authority's view would the amendment be contrary to any policy of the Council? **NO**

In considering the above, the following factors are relevant:

The proposed changed to the permitted scheme must not result in the development falling outside the description of the development as set out on the Decision notice **- the description of development would be the same**
The proposed change must not contravene any condition attached to the original permission **– no condition would be contravened**
The proposed change should not require a further restriction to make it acceptable – no further restrictions would be required
The proposed change would not result in any material increase in height, scale, width or depth of a building **– no**
The proposed change would have likely have been approved had it formed part of the original application **– the change would have likely to have been approved**

In terms of this particular application, the alteration is to a curved section of walling. This alteration is considered not to cause any material harm in terms of visual amenity for the near-by residents.

1. As such, it is not considered that the proposed amendments would have a detrimental impact on visual amenity, living **conditions** or detrimental to a third party and are therefore in accordance with protocol. It is therefore recommended that the Non-Material Amendment is approved.

Recommendation Approve

Delegated powers

Application Number 2018/92412

2. Officers Recommendation: Approve
3.
4.
5. The amendment sought relates to the alterations to the link corridor to replace the curve with a **right** angle corner as shown on drawing number A16003 05 rev C
6.
7. Report Da 31.7.18
8.
9.