

**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/93928/W

Site Address: 176, Laund Road, Salendine Nook, Huddersfield, HD3
3TY

Description: Non material amendment to previous permission
2018/91189 for demolition of existing bungalow and
erection of new dwelling

Recommending Officer: Laura Yeadon

DECISION – Approve Non Material Amendment

**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.**

Neil Bearcroft

AUTHORISED OFFICER

Date: 04-Jan-2019

Officer Report

Site Description

176 Laund Road is a detached bungalow located within an area defined as Unallocated Land within the Kirklees UDP. The property is relatively small in relation to its plot size and faced in render with a plain tiled roof. There is a driveway to the northern side of the property and a private access road known as Peat Ponds which separates the site from No. 178 which is a two storey property. The adjacent property to the south is a bungalow, constructed from stone. Two storey semi-detached properties and detached properties face the site. Beyond the rear boundary is large detached property known as 2A Peat Ponds which is set within substantial grounds. The area of land to the rear of the site was the subject of a 2016 application which was granted for Conditional Outline Permission for residential development with the access point taken from land between this application site and the adjacent bungalow, No. 168.

Description of Proposal

The application is seeking a Non-Material Amendment to an application previously approved under application number 2018/91189 for the demolition of the existing bungalow and the erection of a new dwelling.

The amendment relates specifically to the roof form of the development and the removal of the double hipped roof within the rear elevation of the property resulting in a simplified roof form.

Relevant Planning History

2016/91183 Erection of first floor extension over bungalow, two storey side extension, part lower ground floor extension and raised terrace
Conditional Full Permission

2018/91189 Demolition of existing bungalow and erection of new dwelling
Conditional Full Permission

Assessment

The application is for a Non-Material Amendment for the removal of the double hipped roof within the rear elevation of the property resulting in a simplified roof form.

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:

1. 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:

1. In the Authority's view would the proposed change result in a detrimental impact either visually or in terms of living conditions? **NO**
2. 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**
3. 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 – **the scale of the rear elevation roof form would be reduced as a result of the proposal**
- 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 removal of the double hipped roof within the rear elevation of the property resulting in a simplified roof form.

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**

Decision Authorisation – Delegated Powers

Application Number: 2018/93928

Officer Recommendation: Approve

Reason:

The amendment sought removal of the double hipped roof within the rear elevation of the property as shown on drawing number NA01 – Proposed plans and elevations and is considered to be acceptable.

4 th January 2019

Report Dated: