

**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: 2019/NM/93070/W

Site Address: 4, Bradfield Close, Bradley, Huddersfield, HD2 1PL

Description: Non material amendment to previous permission
2016/94006 for erection of ground floor rear
extensions, first floor extension and front porch

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: 17-Oct-2019

Officer Report

Site Description

The property is a detached two storey dwelling located within a small cul-de-sac in Bradley. The property is constructed from brick and render with a concrete tiled roof. There is also an integral double garage which is accessed off the driveway. Garden areas are located to the front and rear.

Description of Proposal

The application is seeking a Non-Material Amendment to an application previously approved under application number 2016/94006 for the erection of ground floor rear extensions, first floor extension and front porch.

The amendment relates specifically to the porch extension to the front of the building. It is proposed that the porch would be redesigned to have full height windows to either side of the door and a smaller opening within the side elevation facing the garages and the introduction of a window within the side elevation facing the bay window. The extension would also incorporate additional brick work.

Relevant Planning History

1986/05708 Erection of computer centre, paper warehouse office block and ancillary facility including improved drainage and 3m high security fence
Granted Conditionally

1988/06578 Erection of 129 dwellings and garages with associated leisure facilities
Granted Conditionally

2016/94006 Erection of ground floor rear extensions, first floor extension and front porch
Conditional Full Permission

Assessment

The application is for a Non-Material Amendment for the redesigning of the porch to alter the fenestration details to those previously approved.

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 change 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 - **there is no increase in height to the porch**
- 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 the redesigning of fenestration details within the porch.

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. Whilst it would be visually different to that approved it would still retain the same characteristics. It is therefore recommended that the Non-Material Amendment is approved.

Recommendation **Approve**

Decision Authorisation – Delegated Powers

Application Number: 2019/93070

Officer Recommendation: Approve

Reason:

The amendment sought is the redesigning of the fenestration details within the porch as shown on drawing number 1.

Report Dated: 16th October 2019

