

**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/93872/W

Site Address: Madani Jamia Masjid Ghausia Mosque, 73, Victoria Road, Lockwood, Huddersfield, HD1 3RT

Description: Non material amendment to previous permission 2011/91298 for erection of extensions to existing mosque

Recommending Officer: Bill Topping

DECISION – Non-Material Amendment – Refused

I hereby authorise the refusal of this application for a Non-Material Amendment 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: 12-May-2020

Officer Report

Site Description

This request for a non-material amendment (NMA) relates to the partly-completed mosque extension at 73 Victoria Road in Lockwood, Huddersfield.

The extension was granted permission in 2011 and has been partly completed.

The site fronts onto Victoria Road where the exiting mosque was. The extension extends to the rear towards Bland Street. There is also proposed an extension/lobby area, with a dome, on the Victoria Road elevation.

Description of Proposal

Request for an NMA relating to the proposed extension/lobby area previously agreed, but not yet complete. This faces onto Victoria Street, and will be the principle way into the mosque.

The proposal involves widening the extension by 4.4m. This would also involve the rearranging of access arrangements with the disabled access and ramp being moved right up to the boundary of the neighbouring dwelling on Victoria Street.

History of negotiations/amendments received

No record of a pre-application discussion – nothing is mentioned on the applicant's application form at the appropriate section).

Relevant Planning History

2011/92198 – Approval of mosque extension. Work commenced, and partly finished.

Representations

n/a

Consultation Responses

n/a

Policy

NPPF

- Chapter 12 – Achieving well-designed places.

Kirklees Local Plan

- LP24 – Design

Assessment

This is a request for a non-material amendment, and needs to be considered against the protocols for NMAs.

The submission acknowledges that the proposal involves a 4.4m increase in the width of a 2-storey extension. This is clearly not an inconsequential change, in terms of the scale and magnitude relative to the original approval.

The scheme would bring a substantial extension much closer to the front of the neighbouring dwelling on Victoria Road. Also, the proposed rearrangements of the disabled access and ramp on that side would be right up to the boundary of that property, which is materially different, and would require proper consideration, as well as reconsultation with the affected neighbour. Given the proposed increase in width the proposal would be at variance with the original approval (i.e., Condition 2 which requires the development to be built in accordance with approved plans).

Conclusion

The proposed changes are clearly material, and some elements would necessitate reconsultation and renotification of neighbours. This should be dealt with as a Section 73 submission.

Recommendation: The NMA be refused

Decision Authorisation: Delegated Powers

Application Number: 2019/93872

Report Dated: 23/04/2020