

**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: 2020/NM/91849/E

Site Address: 19, Mead Way, Highburton, Huddersfield, HD8 0TG

Description: Non material amendment to previous permission
2017/92613 for erection of single storey front and rear
extensions

Recommending Officer: Josh Kwok

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.**

Rebecca Drake

AUTHORISED OFFICER

Date: 15-Jul-2020

Officer Report – 2020/91849

This application seeks a non-material amendment to application 2017/92613, which approved extensions to the front and rear of a dwellinghouse.

The amendment seeks permission to reduce the width of the single storey rear extension from 5.2m to 4.0m as shown in the proposed elevations drawing. The footprint of the rear extension as amended would be 4.0m by 4.0m. There would be no other changes to the external appearance of this extension.

This application will be assessed having regard to S96A of the Town & Country Planning Act 1990: *“In deciding whether a change is material, a Local Planning Authority must have regard to the effect of the change, together with previous changes made under this section, on the planning permission as originally granted”* and the Council's **Protocol for dealing with non-material amendments**.

The four key tests in the Protocol are:

1. Is the change inconsequential in terms of its scale in relation to the original approval? **Yes**

If so, three further tests need to be met:

2. Would the change result in a detrimental impact either visually or in terms of living conditions? **No**
3. Would the interests of a third party who participated or were informed of the original decision be disadvantaged in any way? **No**
4. Would the amendment be contrary to any policy of the Council? **No**

Assessment

The proposed alteration would not cause the development to fall outside the original application description. The external dimensions of the single storey rear extension would be reduced as a result of this alteration. The footprint of the approved extension would not be moved in any direction by more than one metre. There would be no new openings that would prejudice the amenity of the neighbouring properties.

All materials of construction would be the same as approved and so as the design. No representations or consultations were received for the original application, which would contraindicate the acceptance of the proposed alteration. No conditions in the original planning permission would be breached by this proposal, nor would any further conditions required for it to be acceptable. No council policies would be contradicted by this alteration.

Conclusion

On the basis of the above, the proposed alteration would be acceptable under the non-material amendment procedure and therefore recommended for approval.

RECOMMENDATION**APPROVE**