

**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/92583/W

Site Address: 1, Coniston Avenue, Dalton, Huddersfield, HD5 9EE

Description: Non material amendment to previous permission
2019/93002 for erection of two storey side extension

Recommending Officer: Alice Huxley

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: 13-Aug-2020

Officer Report

Site Description

1, Coniston Avenue, Dalton, Huddersfield.

1 Coniston Avenue is a two storey, three bedroomed, semi-detached dwelling constructed from red brick with a coursed stone front. The site is located on the junction between Coniston Avenue and Broad Lane, whereby there is a small convenience store to the north. Driveway access is taken directly from Coniston Avenue whereby the vehicle hardstanding area is located to the west of the property.

Description of Proposal

The application is seeking a Non material amendment to previous permission 2019/93002 for erection of two storey side extension.

The amendment relates specifically to the two storey side extension.

Relevant Planning History

2019/93002 – Erection of two storey side extension – *conditional full permission*.

Assessment

The application is for a Non-Material Amendment to reduce size of the first floor en-suite to match the ground floor footprint removing the over-hang above the existing driveway.

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:
2. In the Authority's view would the proposed change result in a detrimental impact either visually or in terms of living conditions?
 - No.
3. 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.
4. 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 would be a material decrease in height, scale, width or depth of the extension.*
- 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 acceptable.

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

Letter Text

The amendment sought is to reduce the size of the first floor en-suite to match the ground floor footprint by removing the over-hang above the existing driveway as shown on drawing number 437-A02 rev F.

Report Dated: 12/08/2020

