

**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/92965/W

Site Address: 120, Laund Road, Salendine Nook, Huddersfield, HD3
3TY

Description: Non material amendment to previous permission
2019/90486 for demolition of existing dwelling and
erection of 7 dwellings

Recommending Officer: Neil Bearcroft

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.**

Emma Thompson

AUTHORISED OFFICER

Date: 02-Nov-2020

Non Material Amendment Officer Report

Site - 120, Laund Road, Salendine Nook, Huddersfield, HD3 3TY

The site is an L shaped piece of land which formed part of the domestic curtilage and surrounding land to 120 Laund Road which is now in the process of being developed for a number of dwellings. 120 Laund Road was a large detached bungalow set back from the road in the north eastern corner of the site and currently remains on site but is due to be demolished to make way for the proposed development. Vehicular access to the dwelling was gained off a drive which leads from Laund Road to the bungalow and then sweeps round to south east providing vehicular access to nos. 144 and 144a. To the north and east of the site the land slopes steeply upwards to the area that forms the remainder of Lindley Moor. The area is characterised by a mixture of housing types and materials of construction with no. 120 a detached property constructed from artificial stone, nos. 110 to 114 terraced dwellings of stone construction, with other properties in the street constructed from a mix of stone, render and pebble dash render.

Proposal

Non material amendment to previous permission 2019/90486 for demolition of existing dwelling and erection of 7 dwellings. The amendment sought is:

The raising the ground level for Plots 3 and 4 by 500mm to will minimise risk of the adjacent boundary wall collapsing. The finished ground floor level for plot 3 would increase from 52.5 to 53.0 with the ridge level increasing from 61.0 to 61.50 and the for plot 4, the finished ground level would increase from 53.1 to 53.6 and the ridge level from 61.6 to 62.1.

Policy and Guidance

- **Kirklees Protocol for Non-Material Amendments Following A Grant Of Planning Permission**
- **National Planning Practice Guidance**

Assessment:

Is the proposed change inconsequential in terms of its scale (magnitude, degree. etc) in relation to the original approval?

Yes. Whilst the proposal would increase the ground level of the dwellings, it is considered that a 500mm increase would be minor, and the slight increase in ground level is not considered to be significant when viewed in the context of the dwelling being 8.5 metres in overall height.

In the Authority's view would the proposed change result in a detrimental impact either visually or in terms of living conditions?

No, the increase ground levels would not have a material affect the appearance of the dwelling or the street scene and would just lead to the dwelling sitting slightly higher in the plot. It would retain an acceptable design which would preserve the character and appearance of the dwelling and wider local area and would not lead to any additional detrimental impact on living conditions.

In the Authority's view would the interests of a third party or body who participated in or were informed of the original decision be disadvantaged in any way?

No. The alteration is considered to be inconsequential; whilst the ground level around the dwelling would be increased, it is not considered that the very limited overall increase would not lead to a detrimental overshadowing or overbearing impact on any of the adjacent properties.

In the Authority's view would the amendment be contrary to any policy of the Council?

No, as detailed above the design of the scheme is considered to be acceptable and would have an acceptable impact the character of the local area and would accord with the relevant policies.

The proposed changes to the permitted scheme must not result in the development falling outside the description of the development as set out on the Decision Notice e.g. by seeking to add a pitched roof to an extension described on the Notice as a 'flat roof' extension.

The proposed change would not result in the development falling outside the description of development on the Decision Notice.

The proposed change must not contravene any condition attached to the original permission.

No, there is no condition restricting the overall height of the dwellings.

The proposed change should not require a further restriction to make it acceptable (e.g. an amendment seeking to introduce a window which would only be acceptable if it is kept obscurely glazed.)

No, the arrangements proposed are considered to be acceptable and no further restriction is required.

The proposed change would not result in any material increase in height, scale, width or depth of a building.

No, whilst the ground level of the dwellings would be increased by 500mm it is not considered to 'materially' larger and as set out above the proposal is considered to have an acceptable impact on visual and residential amenity.

The proposed change would have been likely to have been approved had it formed part of the original application.

Yes, the amendment would have been approved if included as part of the original application.

Recommendation – Approve NMA

Decision Authorisation - Delegated Powers

Application Number: 2020/92965

Officer Recommendation: Approve NMA

Decision Letter Text

The amendments sought is:

- The increase in the ground levels for plots 3 and 4 by 500mm.

This amendment is set out on the following drawings, Site Plan Dwg. No. 02 Rev C.

Report Dated: 30/10/20