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:	**2022/NM/92394/E**
Site Address:	Clifford House Farm, Cliff Hollins Lane, East Bierley, BD12 7ET
Description:	Non material amendment to previous permission 2020/90762 for erection of two storey extension
Recommending Officer:	Jennifer Booth

DECISION – APPROVE NON-MATERIAL AMENDMENT

I hereby authorise the approval/refusal* (delete as appropriate) of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 11-Aug-2022

Overview

This application seeks a non-material amendment to application 2020/90762, which approved the erection of a two storey extension to the rear of Clifford House Farm.

The amendment seeks to increase in size of proposed ground floor window facing south-west, removal of proposed first floor window facing north east and addition of first floor window facing south east. The amendments are shown on plan 19.030(2-)001a submitted 15/07/2022.

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:

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

Assessment

The alterations do not cause the proposal to fall out of the original application's description.

All materials are to match those of the host building as per the existing approval. The extension to the dwelling is already approved in terms of its scale and whilst the alteration of the windows as indicated on the submitted plans would alter the appearance to a degree, relative to the rest of the extension agreed the alteration is limited. The siting of the host property itself is away from any of the neighbouring properties. None of the original application's conditions are breached by the proposal, nor are any further conditions required for the amendments to be acceptable. No council policies are contradicted by the amendments.

Conclusion

On the basis of the above, the proposed change would be acceptable under the non-material amendment procedure and as such is recommended for approval.

Report Dated 19/07/2022