

**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: **2023/NM/91399/E**

Site Address: Batley Police Station, Market Place, Batley, WF17
5AA

Description: Non material amendment to previous permission
2020/92351 for change of use of former police station
to 9 apartments with associated works (Within a
Conservation Area)

Recommending Officer: Alice Downham

DECISION – GRANT 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.**

Emma Thompson

AUTHORISED OFFICER

Date: 08-Jun-2023

Overview

This application seeks a non-material amendment to application 2020/92351, which approved change of use of former police station to 9 apartments with associated works (within a Conservation Area).

The amendment seeks the following:

- Roof covering to the rear to be “Slatescape Cinero Brazilian graphite grey”
- Three windows to the Brunswick Street elevation and four windows to the side elevation to be replaced with white uPVC double glazed windows (style to match the existing).

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 Kirklees Council’s Protocol for dealing with non-material amendments.

The four key tests in the Protocol are as follows.

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

Yes.

1. Would the change result in a detrimental impact either visually or in terms of living conditions?

No. The changes are small in scale. The materials would be visually similar to those on the existing building. The proposed new roof covering would only be used on the rear elevation which is less visible. There are already uPVC windows in the building and the new windows would be in a style to match the existing.

2. Would the interests of a third party who participated or were informed of the original decision be disadvantaged in any way?

No representations were received during consideration of the original approval. Officers are satisfied that the interests of a third party or body who were informed of the original decision would not be disadvantaged.

3. Would the amendment be contrary to any policy of the Council?

It is considered that the amendments would not be contrary to any policy of the Council.

Conclusion

Based on the above, the proposed change would be acceptable under the non-material amendment procedure and, as such, is recommended for **approval**.

Report Dated:

08/06/2023