

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/92807/E**

Site Address: 36, Littlethorpe Hill, Hartshead, Liversedge, WF15 8AZ

Description: Non material amendment to previous permission 2023/90597 for erection of single storey rear extension and rear dormer extensions including external alterations following demolition of existing rear extension

Recommending Officer: Nicole Helliwell

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: 17-Oct-2023

Officer Report

Reference No. 2023/NMA/92807/E

Site Address: 36, Littlethorpe Hill, Hartshead, Liversedge, WF15 8AZ

Proposal: Non material amendment to previous permission 2023/90597 for erection of single storey rear extension and rear dormer extensions including external alterations following demolition of existing rear extension.

Site Description

The application relates to 36 Littlethorpe Hill, a detached bungalow located in Hartshead, Liversedge. The property is faced in stone and incorporates a dual pitched roof. The dwelling benefits from off road parking to the front, an integral garage and a sufficiently sized garden to the rear. The neighbouring properties are of residential use and comprises bungalows and two storey properties of varying materials and architectural styles.

Relevant Planning History

2023/90597: Erection of single storey rear extension and rear dormer extensions including external alterations following demolition of existing rear extension. [Planning application details | Kirklees Council](#) – **Conditional Full Permission**

2015/90824: Erection of garage and new chimney to side and porch to front. [Planning application details | Kirklees Council](#) – **Conditional Full Permission**

2012/93291: Erection of detached garage and re-positioning of site boundary. [Planning application details | Kirklees Council](#) – **Conditional Full Permission**

Overview

This application seeks a non-material amendment to planning application reference no. 2023/90597, which approved the erection of a single storey rear extension and rear dormer extension including external alterations following demolition of existing rear extension.

The amendment seeks to alter the fenestration within the rear dormer extension and increase the width of the single storey rear extension by approximately 0.3m. The application form confirms that the amendments proposed are a result of the clients request. The amendments have been outlined within the application form and on plans Proposed Elevations (reference no. (30)001 rev. A) and Proposed GA (reference no. (20)003 rev. A), which were submitted on 21st September 2023.



Proposed Elevations and Floor Plans



Approved Elevations and Floor Plans

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**
1. Would the interests of a third party who participated or were informed of the original decision be disadvantaged in any way? **No**
2. 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. The single storey rear extension and rear dormer extension are already approved in terms of their scale and design. Whilst the submitted plans indicate that the alterations to the dormer's rear fenestration and the width of the single storey rear extension would alter the development to a degree, it is considered that the proposed amendments would not result in a material change so significant to request a new application and would be acceptable. No representations were received for the original application, and the alterations proposed would not have an additional impact on the residential amenity of the neighbouring occupants. 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: 03/10/2023

