

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/93723/E**

Site Address: 7, Stoneleigh Court, Scholes, Cleckheaton, BD19 6EB

Description: Non material amendment to previous permission
2023/91169 for erection of single storey rear
extension and external alterations

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: 15-Jan-2024

Reference No. 2023/NMA/93723/E

Sie Address: 7, Stoneleigh Court, Scholes, Cleckheaton, BD19 6EB

Proposal: Non material amendment to previous permission 2023/91169 for erection of single storey rear extension and external alterations

Site Description

The application relates to 7 Stoneleigh Court, a two storey detached property situated in Scholes, Cleckheaton. The dwelling is faced in stone and incorporates a dual pitched roof finished in concrete tiles. The property benefits from off road parking to the front, an integral garage and gardens to the front and rear. The neighbouring properties are of residential use and comprises two storey properties of similar materials and architectural styles.

Relevant Planning History

- **2023/91169:** Erection of single storey rear extension and external alterations. [Planning application details | Kirklees Council](#) - Conditional Full Permission
- **2001/93292:** Erection of 9 detached dwellings with garages. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **99/92571:** Outline application for residential development. [Planning application details | Kirklees Council](#) – Conditional Outline Permission

Overview

This application seeks a non-material amendment to planning application reference no. 2023/91169, which approved the erection of single storey rear extension and associated external alterations. The amendment seeks to make alterations to the fenestration in the side and rear elevations of the extension and alter the material palette to stone to match the appearance of the original dwellinghouse. The application form states that the alterations are proposed to meet the clients requirements. The amendments have been outlined within the application form and on plan titled 'Proposed Extn' (reference no. 23/38 Rev. A) which was submitted on 19th December 2023.

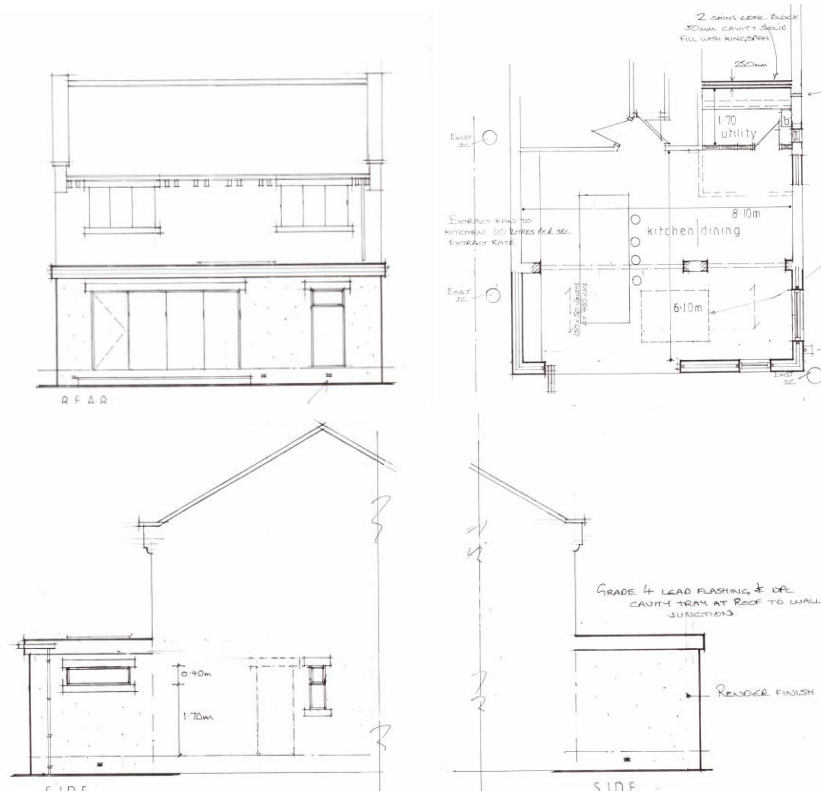
This application will be assessed having regard to S96A of the Town & Country Planning Act 1990: "In deciding whether a change is material, a Local Planning Authority must have regard to the effect of the change, together with previous changes made under this section, on the planning permission as originally granted" and the Council's Protocol for dealing with non-material amendments.

The four key tests in the Protocol are:

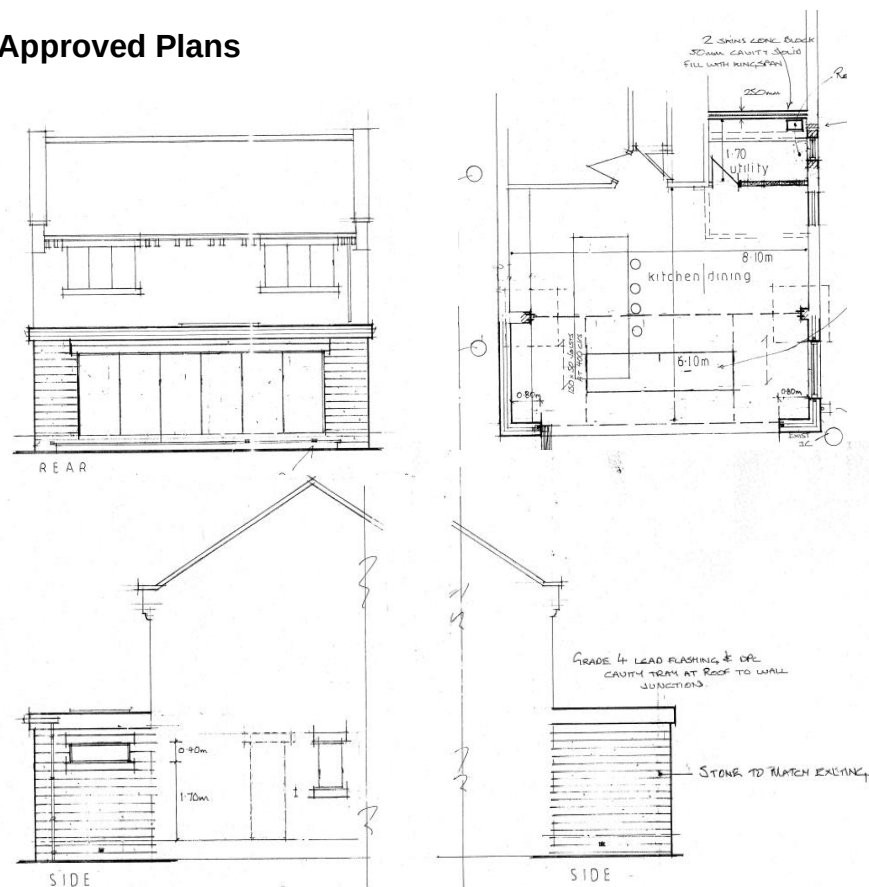
1. Is the change inconsequential in terms of its scale in relation to the original approval? **Yes**

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**



Approved Plans



Proposed Plans

Assessment

The alterations do not cause the proposal to fall out of the original application's description. Although the submitted plans indicate that the changes to the rear and side fenestration and the material palette would alter the appearance to a degree, it is considered that the proposed amendments would not result in a material change and would be acceptable. No representations were received for the original application, and the alterations proposed would not have an additional impact on any 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: 02/01/2024