

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: **2024/NM/91226/E**

Site Address: 7, Knowle Park Avenue, Shepley, Huddersfield, HD8 8EZ

Description: Non material amendment to previous permission 2022/92163 for erection of first floor extension with rear balcony, car port and alterations to garage roof

Recommending Officer: Jennifer Booth

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: 03-Jun-2024

Overview

This application seeks a non-material amendment to application 2022/92163, which approved the erection of a first floor extension with rear balcony, car port and alterations to garage roof.

The amendment seeks to alter the timber detailing on the front gable from the approved, across the full gable to include a separation with render. The amendments are shown on plan (72) 001 submitted 29/04/2024.

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.

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

29/05/2024
