

**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/91495/E**

Site Address: 16, Dearne Park, Clayton West, Huddersfield, HD8
9NB

Description: Non material amendment to previous permission
2024/90120 for erection of single storey side
extension with associated internal and external works

Recommending Officer: Morgan Braithwaite

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: 02-Sep-2024

Officer Report

Reference No: 2024/NMA/91495/E

Site Address: 16, Dearne Park, Clayton West, Huddersfield, HD8 9NB

Proposal: Non-material amendment to previous permission 2024/90120 for erection of single storey side extension with associated internal and external works.

Site Description

The application relates to 16, Dearne Park, Clayton West, Huddersfield, HD8 9NB, a detached two-storey dwelling. The property is faced in stone and features a pitched roof. The dwelling benefits from off-road parking and garden to the rear of the property. The neighbouring properties are of residential use and comprised of both bungalows and two-storey properties. Stone is the material used to face the surrounding properties.

Relevant Planning History

No relevant planning history.

Overview

The applicant seeks a non-material amendment to planning application reference no. 2024/90120 which approved the erection of a single storey side extension with associated internal and external works.

The amendment seeks to change from a pitched roof to a flat roof which would see a reduction in the roof height of approximately 1.3m. The flat roof feature would span approximately 5.8m along the side (west) elevation of the proposal.

The amendments have been outlined with the application form and on plan:

- AW_001_V1

The application was submitted on 28th May 2024

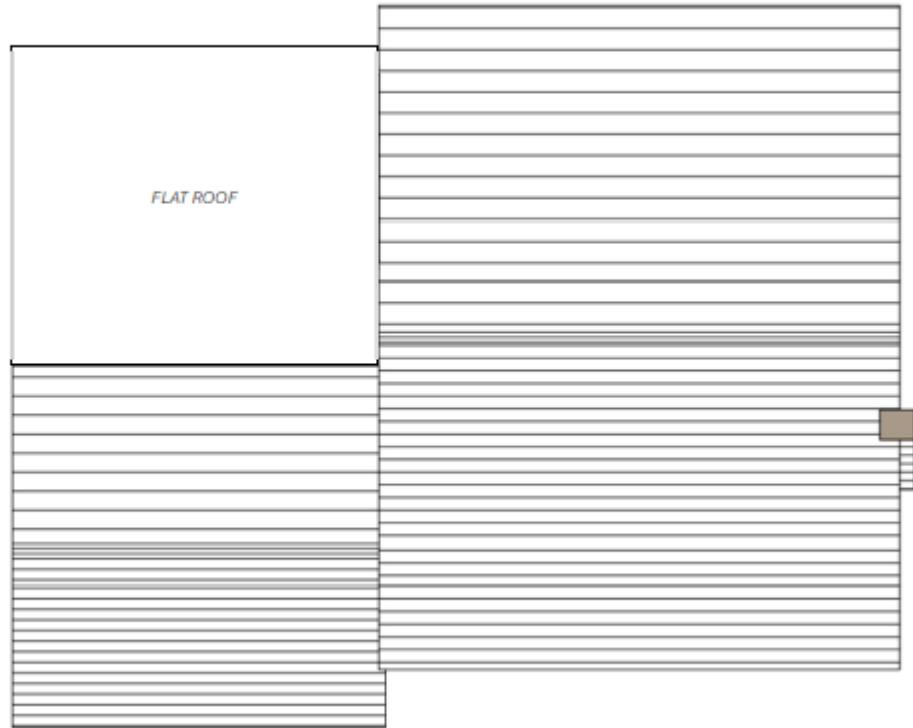
Adjusted West Elevation



Adjusted North Elevation



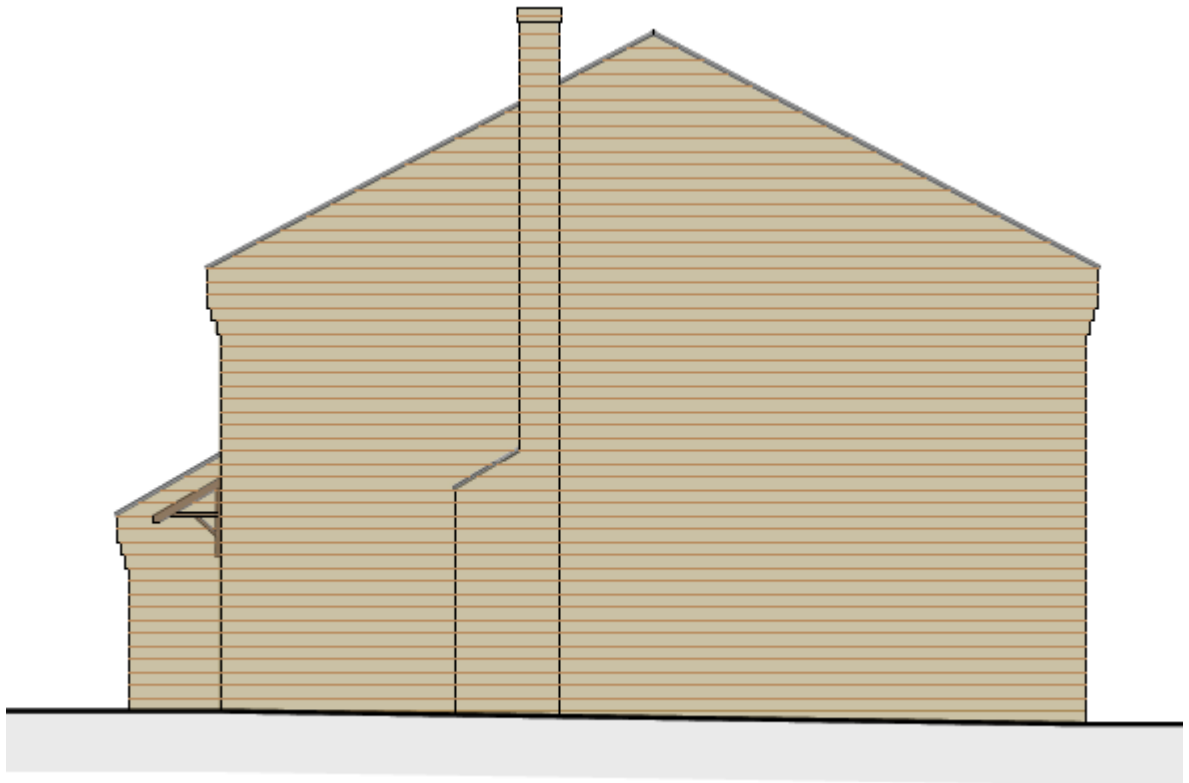
Adjusted Roof Plan



Proposed Elevations



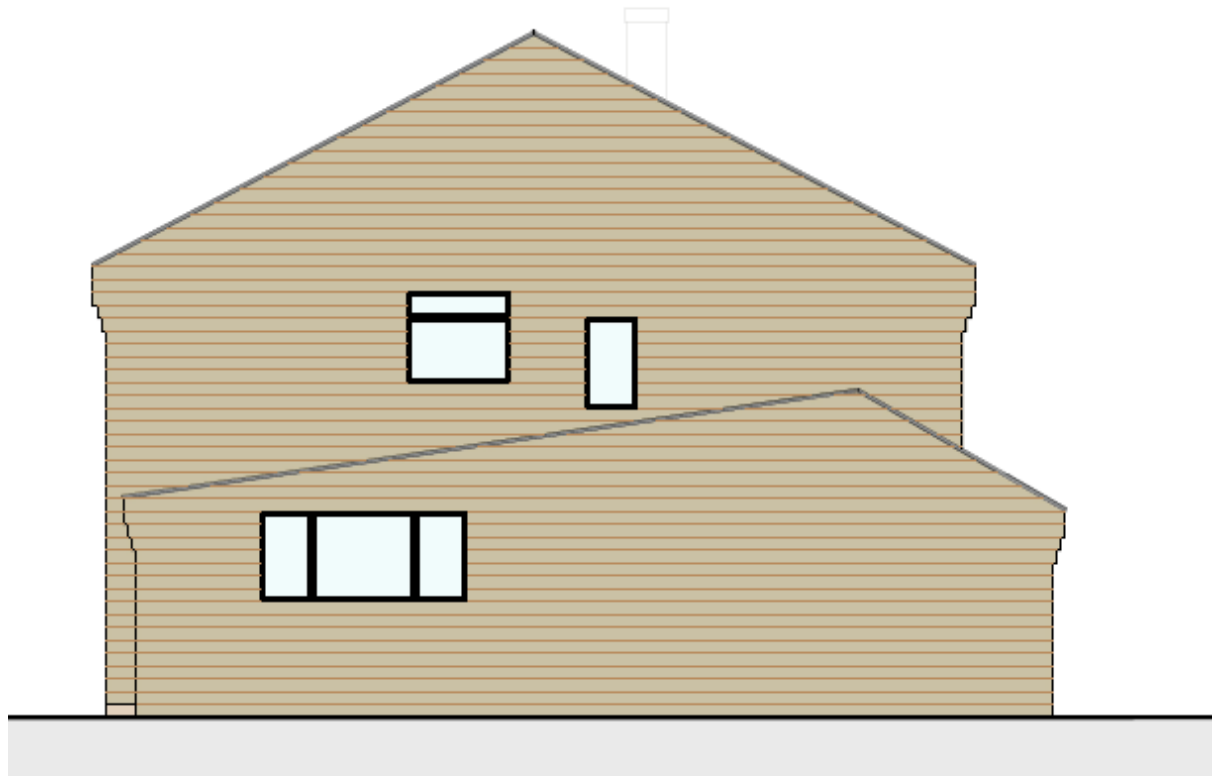
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

Approved Floor Plans and Elevations

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 interest 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 applications description. The submitted plans indicate that the alterations to the extension 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 any additional impact on the residential amenity of the neighbouring occupants. None of the original applications 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, it is recommended for approval.

Report Dated: 16.08.2024