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/91589/W**
Site Address:	22, Parkwood Road, Golcar, Huddersfield, HD7 4QW
Description:	Non material amendment to previous permission 2021/91839 for erection of single storey building for use as dog grooming parlour
Recommending Officer:	Katie Chew

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 04-Jun-2024

Application: 2024/91589

Site Address: 22, Parkwood Road, Golcar, Huddersfield, HD7 4QW

Proposal: The application seeks a non-material amendment to previous permission 2021/91839 for erection of single storey building for use as dog grooming parlour.

The amendments include alterations to previously approved window and door openings to allow better light into the building. 4 new rooflights are proposed within the building, alongside a revised entranceway which includes larger and more modern glazing to the front of the building. On the southern elevation, one of the smaller windows is to be enlarged to match adjacent windows in width and height. On the northern elevation, due a revised internal layout windows are to be placed further west into the building, with 2 of the windows also being slightly smaller in width. No changes are proposed to the rear elevation.

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 this 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.**
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. Whilst 2 new roof lights and a slightly larger window are proposed on the side elevation facing towards 24 & 26 Parkwood Road, given the height of the rooflights these are not considered to create any additional overlooking. Furthermore, the slightly larger window proposed on the southern elevation would be located in the same location as the previously approved window however, it would extend down towards ground level, again this would not allow for any significant and additional overlooking over and above what was previously approved.**
3. Would the amendment be contrary to any policy of the Council? **No.**

In considering the above, the following factors are relevant:

- The proposed changes to the permitted scheme must not result in the development falling outside the description of the development as set out on the decision notice. - **The description of development would remain the same.**

- The proposed change must not contravene any condition attached to the original permission. – **No, the proposal would not contravene any planning conditions attached to the original decision.**
- The proposed change should not require a further restriction to make it acceptable. **– No further restrictions would be required.**
- The proposed change would not result in any increase in height, scale, width or depth of a building. **– No.**
- The proposed change would likely have been approved had it formed part of the original application. **– The change would have likely been approved as part of the original submission.**

Therefore, in light of the above, the changes proposed would fall under the remit of a non-material amendment.

Conclusion:

For the above reasons, the proposal is considered to comply with the Council's Protocol and therefore it is recommended that the non-material amendment is approved.

Recommendation:

Approve Non-Material Amendment

Decision Letter Text

The amendments sought are to include alterations to the previously approved window and door arrangements, this includes the provision of 4 new rooflights, alongside a revised entranceway which includes larger and more modern glazing to the front of the building. On the southern elevation, one of the smaller windows is to be enlarged to match adjacent windows in width and height. On the northern elevation, due a revised internal layout windows are to be placed further west into the building, with 2 of the windows also being slightly smaller in width. No changes are proposed to the rear elevation. These changes are all to allow for better light into the property than previously approved. These changes are shown on 'Non Material amendment to Window and door openings Plan and Elevations', P02, received 4th June 2024.

Report Dated: 4th June 2024.