

**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: **2025/NM/91335/E**

Site Address: Islamic Research Institute of Great Britain, Masjid E
Hira, Thornhill Road, Dewsbury, WF12 9BX

Description: Non material amendment to previous permission
2022/91089 for erection of two storey rear extension,
two storey side extension and works/additions to side
and rear entrances

Recommending Officer: Elenya Jackson

DECISION – APPROVE NON MATERIAL AMENDMENT

**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: 04-Jun-2025

Application: 2025/91335

Site Address: Islamic Research Institute of Great Britain, Masjid E Hira, Thornhill Road, Dewsbury, WF12 9BX

Proposal: Non material amendment to previous permission 2022/91089 for erection of two storey rear extension, two storey side extension and works/additions to side and rear entrances

Overview: The applicant seeks a non-material amendment to amend the previously agreed materials from stone cladding to stone.

The 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? The proposal would not increase the scale of the previous application and would be within the original description of development. The adjustment to the materials would be considered inconsequential.

2. Would the change result in a detrimental impact either visually or in terms of living conditions? It is considered that the proposal would not impact the residential amenity of neighbouring residents and would have an improved visual impact.

3. Would the interests of a third party who participated or were informed of the original decision be disadvantaged in any way? No, the proposal would not significantly impact the residential amenity of neighbouring residents as it would be a visual impact only.

4. Would the amendment be contrary to any policy of the Council? As previously highlighted, the proposal would not create any additional harm to the residential amenity of neighbouring residents and the alterations would not be significant in this instance.

In considering these tests, the following factors were relevant:

- The proposed changes would not result in the development falling outside the description of development on the decision notice.

- The proposed would not contravene any condition attached to the original permission.

- The proposed change would not require a further restriction to make it acceptable.

- The proposed change would not result in any material increase in height, scale, width or depth of a building.

- The proposed change would have been approved had it formed part of the original application

Conclusion

To conclude, the amendment shown on the submitted on drawing 21-035-21A to amend the finishing materials from stone cladding to coursed stone would be considered an acceptable non material amendment to permission 2022/91089.

