

Officer Report

Case Reference: OTH/2026/0250
Location: RAINSHORE HOUSE, OVER TOWN LANE, ROCHDALE, OL12 7TQ
Proposal: Non-material amendment to planning application 24/00568/FUL appeal ref APP/P4225/W/25/3358849 to amend layout of new timber outbuilding to include showers and bathrooms, retain garage to house 2 additional classrooms, bin refuge relocated west of garage, minibus parking relocated south of MUGA and amended landscaping to account for changes in site levels.
Recommendation: Approve with Conditions
Officer: Rosalind Gralton

SITE

The application site relates to a square parcel of land approximately 0.42ha in area located east of Over Town Lane, Rochdale, approximately 200m west of Greenbooth Reservoir. The site is located within the Green Belt and is located within a rural setting, with verdant trees to the western side boundary adjacent to the road.

A three storey detached 1920s Arts and Crafts style Villa dwellinghouse resides centrally within the site, with two large outbuildings located to the north western corner of the plot. It appears various extensions have been added to the Villa over the years, of which no evidence appears to have been submitted dating when these were erected. The setting of the house is defined by its large spacious gardens with ample green space and is well landscaped.

The land slopes upward to the north of the site however is generally flat. A large gate provides vehicle access into the site from the south western corner, and a timber boarded fence is located along the western boundary. The grounds of the site are landscaped. No trees are protected by a Tree Preservation Order. A public right of way runs across the north and western boundary of the site. The site is wholly within the Coal Mining High Risk Area.

PROPOSAL

The application proposes a non-material amendment to planning permission 24/00568/FUL, relating to condition 2 (Approved plans) in regard to changes proposed to the site layout plan.

Proposed changes include:

- Amend layout of proposed outbuilding to accommodate showers and bathrooms
- Retention of existing garage to north west corner of the site
- Bin refuge site relocated to west of the garage

- Relocation of minibus parking
- Amended landscaping to account for changes in site levels

PLANS AND DOCUMENTS SUBMITTED

The following plans were submitted on 17th March 2026:

- Application Form
- Proposed Block Plan - DR 0016 Rev R00
- Proposed Plans - DR 220 R03
- Proposed Elevations - East and West - DR 031 R00
- Proposed Site Plans - DR 122 R03
- Proposed Sections - DR 041 R00
- Existing and Proposed Street Scene DR 033 R00
- Existing and Proposed North Elevation DR 032 R00
- Proposed Roof Plan - DR 021 R00
- Proposed Elevations - North and South - DR 030 R00
- Volume Calculations provided by Bradley McClure Architects dated Mar 2026

RELEVANT PLANNING POLICY

Legislation

Town and Country Planning Act 1990 – Part III Section 96A

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

SITE HISTORY

24/00568/FUL - Change of use of dwelling house (Use Class C3) into Special Education Needs School (Use Class F1 (a)); demolition of outbuilding; erection of new single storey classroom building together with alterations to existing access and car park and the installation of multi-use games area and fencing - Refused - Allowed on Appeal Ref: APP/P4225/W/25/3358849

OTH/2026/0290 - Submission of details to comply with conditions 4 (Construction Method Statement), 5 (Reasonable Avoidance Measure Statement for Bats) and 6 Hard and Soft Landscaping) of planning permission APP/P4225/W/25/3358849 (24/00568/FUL) - Pending consideration

CONSULTATION RESPONSES

N/A

REPRESENTATIONS

In line with the Council's code of publicity for this level of application, no letters of notification were issued.

ANALYSIS

Paragraph 002 to section 17a of the National Planning Practice Guidance (NPPG) states that:

There is no statutory definition of ‘non-material’. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.

Therefore, the purpose of the application is to seek the Council’s determination as to whether the changes to the previously approved details are sufficiently material in their nature and in the context of the approved development so as to require a fresh planning permission or not. Non-material amendment applications are not an application for planning permission, do not result in the issuing of a new planning permission and relate only to the amendments sought.

Paragraph 008 to section 17a of the NPPG states that in making decisions on non-material amendment applications, the local planning authority should take into account:

The effect of the change, together with any previous changes made under section 96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. As this is not an application for planning permission, section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply.

Paragraph 011 to section 17a of the NPPG states that the issuing of an approval for a non-material amendment application:

...only relates to the non-material amendments sought and the notice of the decision should describe these. It is not a reissue of the original planning permission, which still stands. The two documents should be read together.

Section 96A of the Town and Country Planning Act 1990 also allows for new conditions to be imposed, or existing conditions to be removed or altered in the issuing of a decision for a non-material amendment application.

Assessment of the non-material amendment

The original application this non material amendment seeks to amend was allowed following the appeal decision reference APP/P4225/W/25/3358849. The proposed alterations to the site layout and landscaping changes do not result in a material impact upon the development. No loss of car parking spaces are proposed and the location of the bin refuse site and relocation of mini bus parking would not affect the acceptability of the site from a highways perspective. For the avoidance of doubt, in light of the outcome of the appeal decision, the retention of the existing garage and slight size alterations to the outdoor classroom proposed, would have a negligible impact on the overall percentage of built development on the site; and would not conflict with the five purposes of the Green Belt. This is supported by the volume calculations, which conclude the proposed outbuildings and extensions on the site over and above that of the original dwelling, do not exceed 35%.

For these reasons, officers are of the opinion the amendments would not have any material effect on the planning permission granted.

RECOMMENDATION

GRANT subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with drawings and documents -
 - Proposed Block Plan - DR 0016 Rev R00
 - Proposed Plans - DR 220 R03
 - Proposed Elevations - East and West - DR 031 R00
 - Proposed Site Plans - DR 122 R03
 - Proposed Sections - DR 041 R00
 - Existing and Proposed Street Scene DR 033 R00
 - Existing and Proposed North Elevation DR 032 R00
 - Proposed Roof Plan - DR 021 R00
 - Proposed Elevations - North and South - DR 030 R00
 - Volume Calculations provided by Bradley McClure Architects dated Mar 2026
 - Noise Impact Assessment prepared by Professional Consult Ltd dated 12/12/2024;
 - Car Parking Management Plan – received by the Council 13/06/2024;
 - Preliminary Ecological Appraisal and Roost Assessment, prepared by ArbTech Consulting Ltd, dated 18th April 2024.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

Recommendation: Approve with Conditions

Condition(s) (1)

- 2 The development hereby permitted shall be carried out in accordance with drawing nos -
 - Existing & Proposed North Elevation – Dwg No P-016 – Rev 00;
 - Existing & Proposed Street Scenes – Dwg No P015 – Rev 00;
 - Existing Elevations - East & West - Dwg No P-006 – Rev 00;
 - Existing Elevations - North & South – Dwg No P-005 – Rev 00;
 - Existing Floor Plans - GF, 1F & 2F – Dwg No P-003 Rev 00;
 - Existing Roof Plan – Dwg No P-004 Rev 00;

Existing Sections – Dwg No P-007 – Rev 00;

Existing Site Plan – Dwg No P-002 – Rev 00;

Location & Block Plan - Dwg No P-001 – Rev 00; (insofar as it relates to the Location Plan only)

Proposed Block Plan - DR 0016 Rev R00

Proposed Plans - DR 220 R03

Proposed Elevations - East and West - DR 031 R00

Proposed Site Plans - DR 122 R03

Proposed Sections - DR 041 R00

Existing and Proposed Street Scene DR 033 R00

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INFORMATIVE:

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This decision must be read in conjunction with the earlier planning permission Reference: 24/00568/FUL and appeal reference: APP/P4225/W/25/3358849; and all conditions imposed on the previous planning permission apply to the proposal as now amended.