

APPLICATION NUMBER: 22/01536/ANM

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01536/ANM	Sam Yuen	5 January 2023

Address: 2 Ealees Littleborough Rochdale OL15 0HJ

Proposal: Non material amendment following planning permission 21/00516/HOUS for alterations to ground and first floor windows

PUBLICITY	Weekly list expired?	N/A	Site notice expired?	N/A
	Neighbour letters expired?	N/A	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N/A
	Neighbour comments received?	N/A

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	N/A
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	GRANT SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: L.Ashworth DATE:20.01.23

SITE

The application relates to no. 2 Ealees, a two-storey mid-terrace dwelling located in Littleborough.

PROPOSAL

A non-material amendment to planning permission 21/00516/HOUS is sought for the amendments to the rear elevation fenestration of the proposed two-storey rear extension. The first-floor windows would be amended from a wrap-around eaves windows/rooflights to a set of double-glazed windows in composite metal/timber frames with lintels, sills and stone surround. The ground-floor door would be amended to a set of vertical timber-boarded glazed double doors.

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)

RELEVANT SITE HISTORY

20/00465/HOUS - Two storey rear extension – Refuse

21/00516/HOUS - Two storey rear extension following removal of existing single storey rear extension - Grant subject to conditions

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 plans 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.

The NPPG further adds 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.'*

The proposed alterations to the first-floor fenestration constitute a reduction in size of the previous proposal. Additionally, the alteration of the ground-floor door would retain the same dimensions as the previous proposal. The amended fenestration as a whole is considered to be proportionate with the host dwelling and existing fenestration. Therefore, the alteration of the rear elevation fenestration is not considered to significantly alter the character and appearance of the proposed two-storey rear extension or the wider street scene. It would also not result in any additional impacts on the amenity of the occupiers or the neighbouring properties.

On this basis, the effects of the proposed amendments to planning approval 21/00516/HOUS would not, either in isolation or combination, materially alter the development's impact in terms of its design, relationship with neighbouring uses or impact on the character and appearance of the surrounding area. The amendments would result in no greater material impact than the development as previously approved and, therefore, constitute a non-material amendment to the original planning permission for the purposes of Section 96A of the Town and Country Planning Act 1990.

RECOMMENDATION: Grant subject to the following condition

1. The permission relates to the following plans:

- ☐ Location Plan - 20-070-001
- ☐ Proposed Floor Plans and Elevations - 20-070-300 Revision F

And the development shall be carried out in accordance with these drawings hereby approved.

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 and the National Planning Policy Framework.

Notes for Applicant:

INFORMATIVE:

This decision notice is to be read alongside that issued with planning permission 21/00516/HOUS and all conditions that were imposed on the previous planning permission remain.

Report Author Sam Yuen