

APPLICATION NUMBER: 24/00972/ANM

## DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00972/ANM

CASE OFFICER

Nick Brookman

**DETERMINATION DATE** 14/10/2024

**Address:** Mayfield Sports Centre, Chadwick Lane, Heywood, OL11 3BY

**Proposal:** Application for non-material amendment to planning permission 21/01773/FUL to change of wall material from Staffordshire smooth blue brick to a red brick

|           |                            |    |                       |    |
|-----------|----------------------------|----|-----------------------|----|
| PUBLICITY | Weekly list expired?       | Y  | Site notice expired?  | NA |
|           | Neighbour letters expired? | NA | Press Notice expired? | NA |

|            |                                                             |   |                                        |   |
|------------|-------------------------------------------------------------|---|----------------------------------------|---|
| 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? | NA |
|          | Neighbour comments received?      | NA |

|     |                                                  |    |
|-----|--------------------------------------------------|----|
| EIA | Screening opinion completed and saved to Onbase? | NA |
|-----|--------------------------------------------------|----|

|            |                                                                      |   |
|------------|----------------------------------------------------------------------|---|
| CONDITIONS | Pre-commencement conditions proposed?                                | N |
|            | Pre-commencement conditions agreed (or notification period expired)? | N |

|                |                             |
|----------------|-----------------------------|
| RECOMMENDATION | GRANT subject to conditions |
|----------------|-----------------------------|

CHECKED AND SIGNED OFF BY: LA DATE: 30.10.24

## **SITE**

The application site relates to Mayfield Sports Centre located off Chadwick Lane to the east of Heywood and south west of Rochdale town centres.

The site is home to Mayfield Rugby Club with the site as a whole comprising of several sports pitches, viewing areas, function rooms, club house, storage facilities, changing facilities and associated car parking.

Mayfield Sports Centre is bounded by residential development to the north, allotments to the east, Castle Hawk Golf Club to the south and open countryside to the west comprising agricultural fields which also bound the north west boundaries.

The site is located within the Green Belt

## **PROPOSAL**

This Section 96A application seeks amendments as follows:

- Non-material amendment to planning permission 21/01773/FUL to change of wall material from Staffordshire smooth blue brick to a red brick

No other amendments are sought.

## **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)

### **Supplementary Planning Documents (SPD):**

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

## **RELEVANT SITE HISTORY**

Application 24/00514/FUL - Single storey extension to create new changing facilities with the addition of a linking canopy to main clubhouse following demolition of existing storage facility – Withdrawn October 2024.

Application 23/00995/DOC – Submission of details to comply with condition 4 (drainage) on planning permission 21/01773/FUL – Approved 1 November 2023.

Application 21/01773/FUL - Demolition of existing storage building and erection of single storey building for changing room facilities – Approved with conditions 30 June 2023.

## **CONSULTATION RESPONSES**

Not applicable.

## **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:

*'must have regard to 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 NMA**

Planning application 21/01773/FUL remains unimplemented but it was approved for construction with the use of Staffordshire Smooth Blue Brick with black bucket handle mortar.

The proposed change subject to this application purely comprises the substitution of the originally approved brick for a red brick which would match that of the adjacent club house building.

This change would have a negligible impact on the existing development and the proposed change would help maintain good design which would preserve the standard of the development as a whole and would integrate well with the existing clubhouse building.

The effect of the proposed amendment would not materially alter the development's impact and therefore it constitutes a non-material amendment to the original planning permission for the purposes of Section 96A of the Town and Country Planning Act 1990.

### **RECOMMENDATION**

It is therefore considered and accepted that the amendments proposed can be treated as a non-material amendment.

### **Notes for Applicant:**

Amended Condition

This approval relates to the plans and documents as listed below:

- Proposed Changing Room Elevations Drawing No RMF-SVA-ZZ-OO-DR-A-2016 Rev C

The development shall be carried out in complete accordance with the drawing 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, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

### **INFORMATIVE:**

This decision notice is to be read alongside those issued with planning permission 21/01773/FUL. All conditions that were imposed on the previous planning permission remain.

Report Author Nick Brookman