

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.
23/00087/ANMCASE OFFICER
Bob MellingDATE
13th February 2023**Address:** 105 Warwick Road, Middleton, M24 1HU**Proposal:** Application for non-material amendment to planning permission 22/00112/HOUS alterations to proposed front window cill level in extension to be lowered to floor level to create a full height window

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: RC

DATE: 22/02/23

SITE

This application refers no.105 Warwick Road, a two-storey semi-detached property located in a residential area in Middleton.

PROPOSAL

The application seeks a non-material amendment to planning permission 22/00112/HOUS. The alteration would see the proposed front window cill level lowered to the floor level to create a full height window.

RELEVANT PLANNING POLICY

Legislation

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

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

RELEVANT SITE HISTORY

22/00112/HOUS Demolition of rear extension and erection of single storey side and rear extension including relocation of front entrance and erection of front porch, together with application of render to existing first floor front elevation.

Decision: Grant subject to conditions

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 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 application seeks a non-material amendment to planning permission 22/00112/HOUS. The alteration would see the proposed front window cill level lowered to the floor level to create a full height window.

The lowering of the cill height of the proposed front window to the side extension is not considered to significantly alter the character and appearance of the proposed single storey side and rear extension or the wider street scene. In addition, it would 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 22/00112/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 amendment 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. This permission relates to the following plans:-
 - Proposed Elevations. Drg no. 545-08D
 - Existing Site Block And Location Plan. Drg no. 545-05D

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, the saved policies of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

Notes for Applicant:

INFORMATIVE:

This decision notice is to be read alongside that issued with planning permission 22/00112/HOUS and all conditions that were imposed on the previous planning permission remain.

