

APPLICATION NUMBER: 23/00208/ANM

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00208/ANM	Sam Yuen	24 March 2023

Address: 87, 91, 92, 95, 96, 98; 102, 103, 111, 112, 113 Buckley View; 2, 8, 13, 14, 17 Louise Close OL12 9RX; 21, 22, 24, 31, 34, 36, 37, 38, 39 And 41, 42, 43, 64, 66, 69, 70, 74 Louise Gardens OL12 9RZ

Proposal: Application for non-material amendment to planning permission 22/01500/FUL for replacement cedar timber effect cladding panels to first floor front and rear elevations with Wetherby Silicone TC render

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: RK

DATE: 29/03/2023

SITE

The application relates to 33 dwellings across three streets – Buckley Close, Louise Close and Louise Gardens, situated in a residential estate in Smallbridge. The dwellings comprise of mid to late 20th century two-storey mid-terrace and end-terrace dwellings. As it stands, the dwellings are of cross wall construction with gable walls and brick piers of red brick construction. The front and rear elevations of the dwellings are clad in dark brown vertical timber cladding with dark orange scalloped clay tile feature cladding on the ground floor.

PROPOSAL

A non-material amendment to planning permission 22/01500/FUL is sought for the amendments to the front and rear elevations of the dwellings, replacing the timber effect fibre cement boards on the first-floor elevations to a silicone render. Three different colourways would be utilised for each street and the render colours would match the colours of the proposed front door features. The render colour for dwellings on Louise Gardens has been altered to a different shade of red.

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

22/01500/FUL - Retrofit of 33No. existing 2 storey dwellings, external wall insulation to existing dwellings and associated works including replacement windows and doors, fencing and gates – 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 amendments to the first-floor front and rear elevations of the dwellings, with the exception of properties on Louise Gardens, would use the colourways in the original submission and thus would be complementary to the materiality of the proposals. Whilst the use of render may not constitute an exceptional standard of design when compared with the originally proposed fibre cement boards, the proposed materials would nevertheless enhance the appearance of the existing dwellings. As such, the proposed works are not considered to significantly alter the character and appearance of the dwellings 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 22/01500/FUL would not, either in isolation or combination, materially alter the development’s impact in terms of its design 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:
 - ☐ Proposed Typical Elevations and Plans - Type A.1 (No34 Louise Gardens) – Drawing No. 20 Issue T2
 - ☐ Proposed Typical Elevations and Plans - Type A.1 (No92 Buckley View) – Drawing No. 21 Issue T2

- ☐ Proposed Typical Elevations and Plans - Type A.3 (No13 Louise Close) – Drawing No. 22 Issue T2
- ☐ Proposed Typical Elevations and Plans - Type A.2 (No102 Buckley View) – Drawing No. 23 Issue T2
- ☐ Proposed Typical Elevations and Plans - Type A.4 (No8 Louise Close) – Drawing No. 24 Issue T2
- ☐ Proposed Typical Elevations and Plans - Type B (No95 Buckley View) – Drawing No. 25 Issue T2
- ☐ Proposed Louise Close Elevations – Drawing No. 27 Issue T2
- ☐ Proposed Louise Gardens Elevations – Drawing No. 28 Issue T2
- ☐ Proposed Buckley View Elevations – Drawing No. 29 Issue T2
- ☐ Proposed Elevations No.1 - 11 Louise Close – Drawing No. 33 Issue T2
- ☐ Proposed Elevations No. 12 - 23 Louise Close – Drawing No. 34 Issue T2
- ☐ Proposed Elevations No. 24 - 45 Louise Gardens – Drawing No. 35 Issue T2
- ☐ Proposed Elevations No. 63 - 74 Louise Gardens – Drawing No. 36 Issue T2
- ☐ Proposed Elevations No. 87 - 101 Buckley View – Drawing No. 37 Issue T2
- ☐ Proposed Elevations No. 102 - 115 Buckley View – Drawing No. 38 Issue T2

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 22/01500/FUL and all conditions that were imposed on the previous planning permission remain.

Report Author Sam Yuen