

APPLICATION NUMBER: 23/00445/ANM

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00445/ANM	Tom Hiles	5 May 2023

Address: Hopwood Hall College, Rochdale Road Middleton Rochdale M24 6XH

Proposal: Application for a non-material amendment to planning permission 21/00511/FUL retention of 1no. existing door to the existing Annex building

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/A	Contrary to national policy?	N/A
	Applicant a Council Member or officer?	N/A	Contrary to previous decision?	N/A
	Major with 10 or more objections and recommending approval?	N/A	Called in or Planning Panel objection?	N/A

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	Approve
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CHECKED AND SIGNED OFF BY: LA

DATE: 14 June 2023

SITE

The application relates to Hopwood Hall College, and educational campus located in Middleton. The site comprises a range of buildings and facilities including a Technology Centre, located towards the north-east edge of the campus.

Permission ref 21/00511/FUL was granted in January 2021 for works including elevational alterations and three extensions to the technology centre and its annex to provide increased teaching space and to improve teaching facilities. The permission also included the erection of a recycling centre.

The approved works included a range of elevational interventions to the existing annex building, including the additions of new windows and the closing up of an existing doorway at the southwest elevation. The previously existing situation and the previously approved elevations are shown below. A subsequent non-material amendment has been approved for a range of changes to the approved works, including to the south-west elevation, also shown below.

Approved general arrangement plan indicating annex south-west elevation



Previously existing elevation 'E'



Originally approved proposed elevation 'E' showing approved extensions and elevational alterations



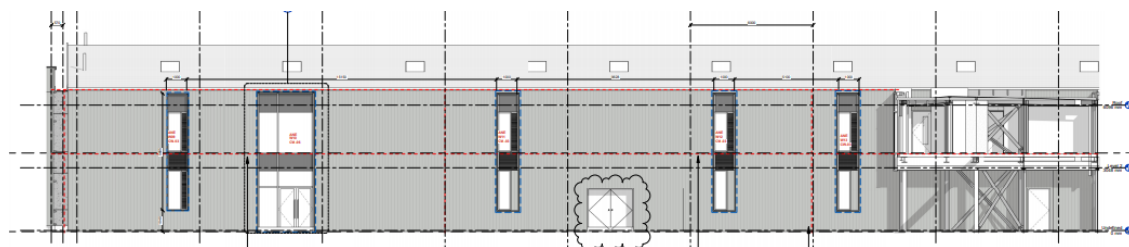
Amended proposed elevation in previous NMA ref 22/00062/ANM



PROPOSAL

The application seeks approval for a further non-material amendment relating to the approved south-west facing elevation, comprising the retention of the existing door, as shown on the partial amended proposed elevation below. As shown on the above approved elevations, this door would otherwise have been removed and over-clad.

Current proposed amended elevation (partial)



RELEVANT PLANNING POLICY

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

- P1 - Improving image
- P2 - Protecting and enhancing character, landscape and heritage
- P3 - Improving design of new development
- G4 - Protecting Green Belt
- DM1 - General development requirements

RELEVANT SITE HISTORY

21/00511/FUL - Alterations to existing elevations and the extension of the Technology Centre and Annex building to form an enlarged specialist education facility for Construction, Engineering and Advanced Technologies, and the erection of a recycling centre and associa.. approved with conditions, 2021-09-01

- 21/01478/DOC - Submission of details to comply with condition 5 (materials) on planning permission 21/00511/FUL. Approved, 2021-11-16
- 21/01382/DOC - Submission of details to comply with conditions 3 (Drainage Scheme), Condition 4 (Construction Management Plan), Condition 8 (Invasive Species) of planning permission 21/00511/FUL. Approved, 2021-12-02
- 22/00062/ANM - Application for a non-material amendment to planning permission 21/00511/FUL - alterations to include: changes to style and position of windows; removal and reduction in size of rooflights; rearrangement of internal layout; increase in height of recycling.. Approved, 2022-03-24

21/00512/FUL - Extension to the existing refectory building to form an enlarged refectory with additional seating capacity. Approved with conditions, 2021-07-15

22/00084/FUL - Erection of steel framed canopy with fabric roof. Approved with conditions, 2022-06-24

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 and no public comments have been received.

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.

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.

The proposed change to the approved plans of retaining an existing doorway, taken together with the non-material amendments previously agreed, would not materially alter the approved development in visual terms, in the context of the scale and appearance of the works previously approved. The further change now proposed would therefore be non-material in design terms.

The building (along with the rest of the campus) forms part of the setting of the listed Hopwood Hall and its Chapel, located to the north-west. The extensions and alterations previously approved were considered to uplift the appearance of this area of the campus, therefore improving the setting of the Chapel. The relevant elevation of the annex building is largely set in close proximity to the larger main technology centre, obscuring views of this area of the building from most viewpoints. As the amendment now proposed would not comprise a material change to the appearance of the completed building, it is considered that this improvement would still be achieved, and therefore that there would be no material change in terms of effects on heritage assets.

The site lies within the Green Belt, but the proposed change would not result in any changes to the building's impacts upon the openness of the Green Belt, in regard to either the visual or spatial elements of openness.

For the above reasons the design change, taken together with those subject of the previously non-material amendment application, do not materially alter the approved scheme.

SUMMARY

As set out above, the amendments subject of this application would result in no greater material impact than the development as previously approved and, therefore, would 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

The amendment to the scheme originally approved, and subsequently revised through the previous non-material amendment, would be a non-material amendment and can be approved as follows:

The amendment to the Annex Proposed Elevation E (south-west elevation), comprising the retention of the existing doorway indicated on the drawing 'Proposed Annex West and South East Navigation Elevation HHC-SEV-Z2-ZZ-DR-A-03044 REV C05' is a non-material amendment. This decision relates only to this alteration as described in the application, and should be read alongside the decisions for the original planning permission ref 21/00511/FUL and the previous non-material amendment ref 22/00062/ANM. All conditions previously imposed remain in effect.

