

APPLICATION NUMBER: 23/00310/ANM

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00310/ANM	Rachel Carney	10 May 2023

Address: St James's Church Ramsden Road Wardle Rochdale OL12 9NX

Proposal: Application for non-material amendment to planning permission 04/D42779 (Change Of Use And External Alterations To Listed Building To Form Five Houses Including Car Parking And Vehicular Access Provisions) to include a condition to allow referencing of the approved plans

PUBLICITY	Weekly list expired?	Y	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
	Neighbour comments received?	N

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

RECOMMENDATION	APPROVE
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CHECKED AND SIGNED OFF BY: LA

DATE: 18.05.23

SITE

St James's Church is a Grade II Listed former Church that is sited in the Wardle Conservation Area. The church was first listed in June 1966 and its listed description reads;

"Church. 1856. By G. Shaw. Tooled ashlar with slate roof. Nave with clerestory, aisle, south-west tower which is placed south of the aisles and west door. The chancel has a north organ chamber and vestry. 5-bay nave and aisle with triple-lancet clerestory windows and small coupled-lancet aisle windows. Stone plinth, continuous sill and hood-moulds and weathered buttresses. 3-bay chancel, angled buttresses with 3-lancet east window, vestry with pinnacle-like chimney. Steeply pitched roof with coped gables. The 4-stage tower has angled buttresses, banding on arched south door, lancet openings to each stage and a broach spire with gabled spire-lights. Interior: the chamfered nave arcade rest on circular columns with moulded capitals. The roofs have arch braced trusses."

PROPOSAL

The application is for a non-material amendment to planning permission 04/D2779. The application seeks to add a plans condition to the planning and this was not included at the time of approval.

RELEVANT PLANNING POLICY

Legislation

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

National Guidance

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

RELEVANT SITE HISTORY

01/D38863 – Change of use and conversion of existing church to 4 dwellings with associated parking – Approved
01/D38864 – Alterations to listed building to form 4 dwellings – Granted
04/D42779 – Change of use and external alterations to listed building to form five houses including car parking and vehicular access provisions – Approved
04/D42780 – Internal and external alterations to listed building to form five houses - Granted
07/D49826 – Landscaping of former church site as per planning application D42780 – Retrospective – Listed Building Consent Granted
19/00994/CPE - Application for a certificate of lawfulness in relation to the lawful commencement in 2006 of earlier permission enabling completion of works in line with that permission - 04/D42779 - Refused
21/00906/CPE - Application for a certificate of lawfulness in relation to the lawful commencement in 2006 of earlier permission enabling completion of works in line with that permission - 04/D42779 - Granted

CONSULTATION RESPONSES

N/A

REPRESENTATIONS

N/A

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.’

Paragraph 018 also establishes that:

‘It is possible to seek the addition of a condition listing plans using an application under section 96A of the Town and Country Planning Act 1990.’

In reviewing application 04/D42780 the decision notice is lacking a plans condition, although approved plans (stamped and dated) are available on the planning file.

Following determination 21/00906/CPE the applicants are intending on submitting a Section 73 application to vary the approved plans. This is because some of the works previously undertaken are not in accordance with those which were previously approved. However, a Section 73 application is not currently possible due to the absence of a plans condition.

The Officer has reviewed the plans list submitted by the applicants and confirmed that apart from one anomaly, they accord with the stamped plans held by the LPA. There is one submitted plan which will not be included and that is ‘Proposed Sections C-C & D D Dwg no. 0317/016 Rev A. This plan is not stamped as approved, instead the earlier plan ‘Proposed Sections C-C & D-D, Dwg no. 0317/16 is the approved plan.

Based on the NPPG, as quoted above, the LPA are satisfied that a plans condition can be added to planning permission 04/D42779. This is provided below.

RECOMMENDATION: APPROVE

This permission relates to the following plans:-

Proposed Site Plan – Dated Jan 04

Internal Photographic Record – Dwg no. 0317/002

External Photographic Record – Dwg no. 0317/003

Photographic Record of the Visibility of the Church within its surrounding context – Dwg no. 0317/004

External Stone Repair Photographic Record Sheet 1 – Dwg no. 0317/005

External Stone Repair Photographic Record Sheet 2 – Dwg no. 0317/006

Existing Floor Plans – Dwg no. 0317/007

Existing Elevations Sheet 1 – Dwg no. 0317/008

Existing Elevations Sheet 2 – Dwg no. 0317/009
Proposed Site Plan – Dwg no. 0317/010 – Dated Jan 04
Proposed Floor Plans Ground & First – Dwg no. 0317/011 Rev A
Proposed Floor Plans Ground & First – Dwg no. 0317/012 Rev A
Proposed Elevations East & South – Dwg no. 0317/013 Rev A
Proposed Elevations West & North – Dwg no. 0317/014 Rev A
Proposed Sections A-A & B-B – Dwg no. 0317/015
Proposed Sections C-C & D-D – Dwg no. 0317/016
Proposed Sectional Elevation South – Dwg no. 0317/018
Proposed Section E-E – Dwg no. 0317/019 – Dated Jan 04

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 saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Notes for Applicant:

This decision notice is to be read alongside that issued with planning permission 04/D42779 and all conditions that were imposed on the previous planning permission remain.

Report Author Rachel Carney