

APPLICATION NUMBER: 24/00841/ANM

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00841/ANM

CASE OFFICER

Tom Hiles

DETERMINATION DATE 04.10.2024 EXT OF TIME 18.10.2024

Address: Rochdale Station Square Rochdale OL11 1DR

Proposal: Application for non-material amendment to planning permission 22/01551/FUL to amend approved layout

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
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N/A
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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: 15.10.24

SITE

The application relates to an area of highways and public realm located to the immediate north of Rochdale Railway Station, which was recently subject of planning approval ref 22/01551/FUL for a range of public realm works to form a new public square enclosed by the railway viaduct, Maclure Road, and the Nye Bevan House medical centre to the west, together with public realm improvements on streets leading west off the proposed square. The approved works included the closing up of the west portion of Station Road where it passes the front of the railway station, and the creation of new pedestrian crossing over the Metrolink line and Maclure Road in its place. Two new bus stops arranged in tandem would have been created at the east side of the square, on the east portion of Station Road, which would remain open to traffic, which would run north along Maclure Road forming the east side of the square.

PROPOSAL

The application seeks a non-material amendment to the existing permission 22/01551/FUL.

The changes would principally comprise:

- ② The retention of vehicle access (restricted to buses) across the south-west corner of the site and crossing the Metrolink line, to allow for buses to continue to cross the square from Milkstone Road to Maclure Road.
- ② The inclusion of separated bus stops at the south-west corner of the square and on the west side of Maclure Road, instead of on the east extent of Station Road.
- ② The approved single pedestrian crossing point would be replaced with an arrangement of crossing points across the Metrolink line and across the corner of Maclure Road and Station Road.

Other changes include:

- ② Indicative details of hard surface materials selections across the scheme
- ② Positions and layouts of new tree planting
- ② Layout and design of soft landscaping elements
- ② Positions and designs of seating features and other street furniture including bike stands and bins
- ② Removal of pedestrian crossing over the tram lines to the north of the tram stop
- ② Retention of existing sitting area at entrance to Nye Bevan House.

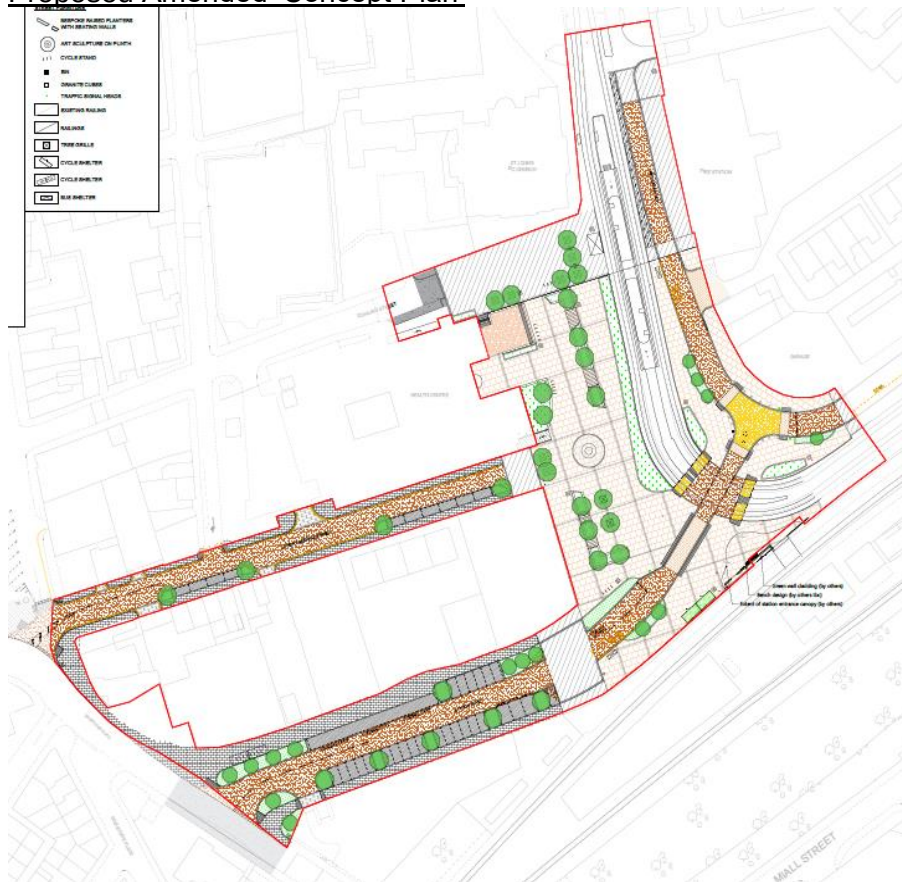
The changes made would replace details indicated on the Illustrative Masterplan and Landscape Proposals Masterplan approved in the original application. The original approved site plan and the amended plans are shown overleaf.

The plans originally submitted with this application included a red line boundary slightly more extensive than that of the original permission, with minor additional works proposed outside the original red line, comprising minor additional extents of hard landscaping and highways works. It is understood that these works can be undertaken under highways powers, but for consistency these works are not subject of this application and updated plans with the red line boundary corrected to be consistent with the original permission have been submitted.

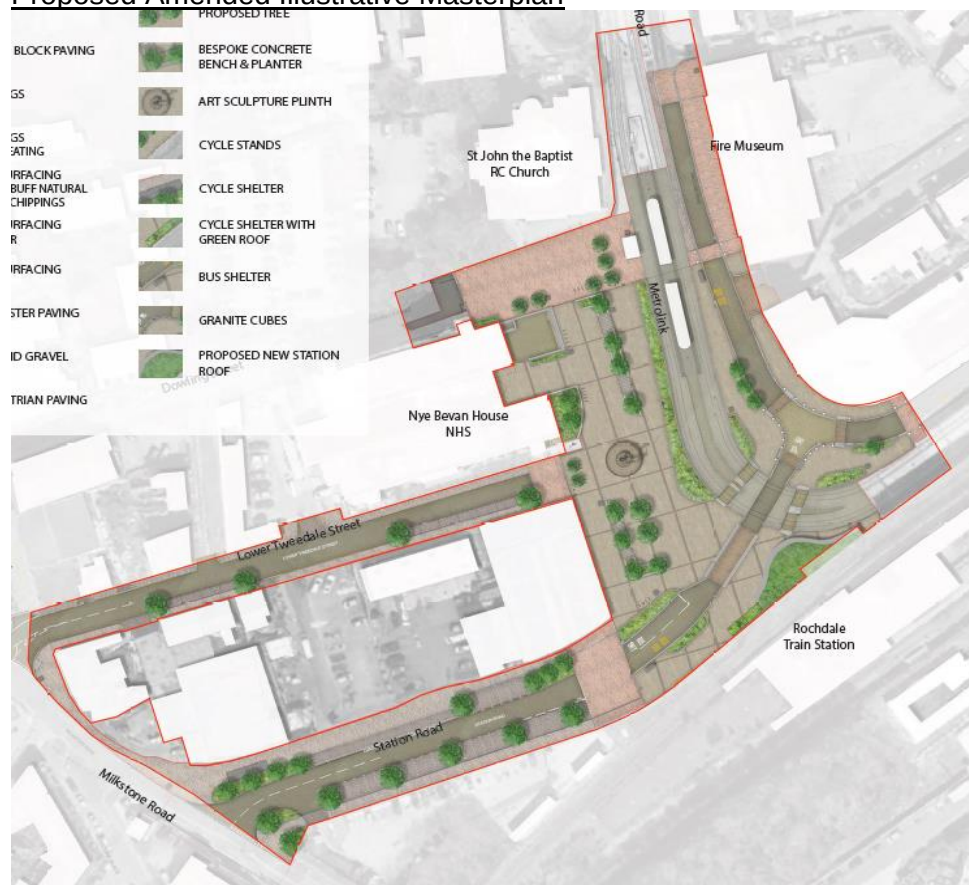
Approved illustrative masterplan:



Proposed Amended 'Concept Plan'



Proposed Amended Illustrative Masterplan



RELEVANT PLANNING POLICY

Town and Country Planning Act 1990
National Planning Policy Framework (December 2023)
National Planning Practice Guidance

RELEVANT SITE HISTORY

22/01551/FUL - Public realm works including: new public square; relocation of taxi rank and car parking spaces; and associated works. Approved, 26/07/2023

CONSULTATION RESPONSES AND REPRESENTATIONS

Not applicable.

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 changes to the scheme originally approved (and as subsequently amended through the previous non-material amendment and s73 application) as set out above are not considered to comprise a material change, in the context of the scale and nature of the approved development.

SUMMARY

As set out above, the amendments subject of this would result in no greater material impact than the development as previously approved (or, as taken together with the pending minor material amendment application) 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 proposed changes to the scheme originally approved would be a non-material amendment and can be approved as follows:

The amendments to the approved development as indicated on the following drawings:

30188877-ARC-XX-XX-DR-LA-000101 Rev P12 - Rochdale Station Square,
Landscape & Urban Realm - Revised Concept Plan
30188877-ARC-XX-XX-DR-LA-000107 Rev P02 - Rochdale Station Square,
Landscape & Urban Realm – Illustrative Masterplan

comprising changes to the layout of the approved scheme are a non-material amendment.

This decision relates only to this alteration as described above, and should be read alongside the decision for the original planning permission ref 22/01551/FUL. All conditions previously imposed remain in effect except as modified by this decision.

Report Author Tom Hiles