

APPLICATION NUMBER: 24/00168/ANM

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00168/ANM

CASE OFFICER

Ryan Killeen

DETERMINATION DATE 18.03.2024 EXT OF TIME

Address: Site Formerly Of Tack Lea Works And Shepperd Mill, Greenbooth Road, Norden, Rochdale

Proposal: Application for non-material amendment to planning permission 20/01170/OUT to vary the wording of condition 2

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

GRANT SUBJECT TO CONDITIONS

SITE

The application relates to a site of approximately 3ha set to the north of Edenfield Road in the Norden area of the borough. The site was formerly occupied by Woodhouse Mills dyeing and finishing works from mid-late C19, before more recently being known as Tack Lea Works. The majority of the site falls within the defined urban area as set out under saved UDP Policy G/D/1, with a small section of circa 0.07ha to the very north west of the site falling within the Green Belt under Policy D/4 of the Unitary Development Plan. The central area of the site includes a wooded area running north to south which is designated as a greenspace corridor as set out under saved UDP Policy G/8

The site is mostly cleared of buildings with only several remaining dotted around the site with the remaining covered by hardstanding. Remaining buildings relate to the sites historic industrial use and are of a red brick construction.

The site sits circa 430m southeast of Greenbooth Reservoir which has an outlet feeding Naden Brook along the southern boundary of the site before passing through a culvert beneath Edenfield Road and continuing south towards the Ashworth Valley. Part of Naden Brook is also culverted along the southwest of the site beneath a number of industrial units which sit directly above the channel.

The site is relatively level across central areas, with steep banks to the channel of Naden Brook along the southern boundary, and a steep incline to the wooded area north of the site. Edenfield Road occupies an elevated position relative to the site with the space in between wooded. The area to the north of the site and to the south of the site adjacent to Greenbooth Road is densely wooded and covered by Tree Preservation Orders 71, 121, 243 and 245.

Surrounding land uses to the south, east and west are predominantly residential, with agricultural uses beyond the woodland to the north. There is an isolated cluster of industrial units along the southern boundary of the site, with commercial uses dotted along Edenfield Road.

PROPOSAL

The application seeks a non-material amendment to the approved planning permission for the re-siting of the approved pump-station and re-arrangement of parking on plot 48 to accommodate a raised table in the highway.

RELEVANT PLANNING POLICY**National Guidance**

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SD1	Delivering sustainable development
DM1	General development requirements

SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
C6	Improving health and well being
C7	Delivering education facilities
C8	Improving community, sport, leisure and cultural facilities
SO3	Improving design, image and quality of place
P1	Improving image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
SO4	Promoting a greener environment
G4	Protecting Green Belt
G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

Places for Everyone

Places for Everyone is a joint development plan for 9 boroughs within Greater Manchester over the period up to 2039, and follows the Greater Manchester Spatial Framework (GMSF), which was dropped following the decision of Stockport Council to drop out of GMSF in December 2020.

The plan has been through initial phases of consultation and in February 2022, was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022 and was examined between November 2022 and July 2023. On February 14 the Inspector's report was issued, marking the end of the examination into the plan. This report concluded that all legal requirements have been met.

All nine Places for Everyone Councils have considered and resolved to adopt the Plan which now forms part of the development plan in force in each respective borough, and thus as per the Compulsory Purchase Act (2004) planning applications are required to be determined in accordance with the policies contained within it unless material considerations indicate otherwise.

RELEVANT SITE HISTORY

20/01170/OUT	Outline planning application (including access, layout, scale and appearance) for 49 affordable dwellings following demolition of existing buildings on site and new access from Edenfield Road – Granted STC. November 2023
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CONSULTATION RESPONSES

N/A

REPRESENTATIONS

In accordance with the Council's Code of Publicity for Planning Applications, this application has not been publicised. Notwithstanding, a letter of objection has been received which raises concern over the granting of outline planning permission due to impacts on ecology and highways. All material considerations raised within the letter have been addressed within the Officer's Report for the approved scheme and as such it is not necessary for the Local Planning Authority to have further regard.

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 amendment to the siting of the pump station is in the interest of reducing the amount of engineering works necessary. Given the access road includes a 5m clearance buffer for tree removal, the proposed amendment would not require additional tree removal and as such, given the slight change in position of the pump station, this change would clearly be non-material.

The changes to plot 48 would result in the loss of 1 off-street parking space. Given the unit which the spaces relate to includes only 2-bedrooms, it is not envisaged that, in the event this would generate on-street parking requirements, that the impact to pedestrian and highway safety would be material as other units have been accepted with a single off-street space across the development.

RECOMMENDATION

GRANT subject to the following condition(s):

2. This decision relates to the following plans:-

☐ SBM-001-NMA01 Rev. L – Planning Layout (Non-Material Amendment)

☐ SBM-001-PSD01 – Pump-Station Detail

and the development shall be carried out in complete 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 Rochdale Unitary Development Plan and the National Planning Policy Framework.

Notes for Applicant:

This decision notice is to be read alongside that issued with planning permission 20/01170/OUT and all conditions that were imposed on all previous applications and amendments, with the exception of those conditions which are explicitly varied in accordance with the provisions of this decision or which have been explicitly varied by way of other S96A non-material amendments.

Report Author Ryan Killeen