

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

25/00152/ANM

CASE OFFICER

Anna Hayes

DETERMINATION DATE 17.03.2025 **EXT OF TIME** 25.03.2025

Address: Former Department Of Work And Pensions Dcs Distribution Centre
Manchester Road Heywood OL10 2PZ

Proposal: Non-material amendment to planning permission 22/01410/FUL for minor amendments to 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/a	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
	Pre-commencement conditions agreed (or notification period expired)?	n

RECOMMENDATION	GRANT
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CHECKED AND SIGNED OFF BY:

DATE:

SITE

The site originated as an RAF maintenance unit, and has been more recently used to store documents. It comprises several reasonably well spaced, metal clad warehouses of functional appearance and varying size. These are linked by a circuit of roads, with trees planted in the gaps between, and around the boundary. The latter is enclosed by a high chain-link fence topped with barbed wire. The site is currently vacant and showing signs of age and dilapidation. The appeal scheme would see the existing warehouses on site replaced by 2 new warehouses: Units 1&2, and Unit 3, together with associated infrastructure.

Bader Drive and Whitehouse Close are located immediately to the north of the proposed position of Units 1&2. Together with Oldbury Close, they are also located to the east of the proposed position of Unit 3. These streets, which generally stand on higher ground than adjacent parts of the site, contain a mix of 2-storey dwellings and bungalows, some of the gardens of which back directly onto the site boundary. Though some large trees grow along the boundary, the screening they provide is patchy. It is therefore apparent that the occupants of many dwellings have clear views into the site, and a correspondingly high level of visual awareness of the existing warehouses and related circulation areas. More limited views are available from within the streets themselves. None of these views can be considered high in quality. The physical and visual relationship between differing uses is nonetheless strongly established.

Land towards the south, southwest and west of the proposed site of Unit 3 falls within the North of Harehills Road Phase of the South Heywood Masterplan. The latter is a strategic mixed-use scheme covering around 350 acres, which in turn forms part of the Northern Gateway. The land, hereafter referred to as the 'approved housing site', is currently open and grazed by horses, but has outline planning permission for residential development. Viewed from within the approved housing site, planting and other self-set vegetation within the appeal site boundary is often substantial in height, but again patchy, allowing views through. The clearest of these views are available along the southwestern part of the site boundary where existing warehouses are clearly visible. Though the views are not as extensive as those from existing dwellings, they are equally lacking in quality.

PROPOSAL

This application for a non-material amendment relates to planning application 22/01410/FUL which was allowed at appeal on 07 November 2024.

Application 22/01410/FUL relates to:

“Redevelopment of the site comprising the demolition of all existing logistics units and erection of new storage and distribution units (Use Class B8) with ancillary office space, vehicular, pedestrian and cycle access, external yards, parking, landscaping and associated works.”

This non-material amendment application seeks to make some minor amendments to the approved units and layout. The changes include:

Unit 1 and 2

- Amendments to the hip roof pitch to increase the amount of natural light within the warehouse areas and to maximise the area of potential rooftop PV installations;
- Re-orientation of lower-level cladding panels to provide increased durability and warranty of the cladding system and to create greater architectural interest; and,
- Inclusion of roof mounted natural ventilation units to align with the MEP strategy.

Unit 3

- Removal of the pedestrian tower and bridge connecting unit 3 to the car park. A safe crossing point with road markings is now proposed instead of the bridge access.

The following works are also linked with the removal of the bridge:

- Minor ground level changes surrounding unit 3. AOD level of unit 3 remains the same;
- Minor updates to the proposed landscaping where the stair tower was previously located;
- Bike store relocated from south of the battery storage containers to adjacent to the unit 03 offices and slight amendment to the acoustic fence line;
- Slight repositioning of the gatehouse;

Other amendments to Unit 3 comprise of the following:

- Amendments to window arrangement in service of the reposition of outstand section of Unit 3 primary office and loss of bridge access;
- Amendments to the hip roof pitch to increase the amount of natural light within the warehouse areas and to maximise the area of potential rooftop PV installations; and.
- Re-orientation of lower-level cladding panels to provide increased durability and warranty of the cladding system and to create greater architectural interest.

Site Layout

In addition to the above amendments to the units, the following minor changes are proposed to the general site layout:

- EV Charging provision has been expanded to include the provision of a 200a feeder pillar to comply with building regulations and to serve increased needs of occupiers. This has resulted in an increase from 15 EV spaces to 76 EV spaces.
- The dock locations for unit 1 and 2 have moved north slightly, further away from the southern boundary. This is to promote HGV accessibility and promote safe manoeuvring within the yard.
- At the north of unit 3, 7 No. HGV parking bays have been converted to 7 no van spaces. This has resulted in an increased landscaping area between the site boundary and HGV parking area.
- The positioning of the acoustic fence line in this location has been updated to reflect the van parking bays. There are no changes to levels or heights in this area.
- A new 2m high brick wall is proposed at the site entrance (as an extension of the already approved acoustic fence), north east of units 1 and 2 to provide increased levels of acoustic protection.

PLANS AND DOCUMENTS SUBMITTED

The following plans and documents have been submitted in support of the application:

- 21157 - ASA - 00 - ZZ.ZZ - D - A - 0003 _ (S3 - P18) – Proposed Site Plan
- 21157 - ASA - 00 - EX.00 - D - A - 0030 _ (S3 - P7) – Proposed Fencing Plan
- 21157 - ASA - 00 - ZZ.GF - D - A - 0010 _ (S3 - P08) – Proposed Ground Floor Plan Units 1&2
- 21157 -ASA -00 -EL.ZZ -D -A -0013 _ (S3 –P9) - Unit 01 and 02 Elevations
- 21157 -ASA -00 -ZZ.RT -D -A -0012 _ (S3 -P9) - Unit 01 and 02 Roof Plan
- 21157 - ASA - 00 - ZZ.GF - D - A - 0020 _ (S3 - P06) – Proposed Ground Floor Plan Unit 3

- 21157 - ASA - 00 - ZZ.01 - D - A - 0021 _ (S3 - P06) – Proposed First Floor Plan Unit 3
- 21157 - ASA - 00 - ZZ.02 - D - A - 0022 _ (S3 - P06) – Proposed Second Floor Plan Unit 3
- 21157 - ASA - 00 - ZZ.03 - D - A - 0023 _ (S3 - P06) – Proposed Third Floor Plan Unit 3
- 21157 -ASA -00 -EL.ZZ -D -A -0025 _ (S3 -P8) - Unit 03 elevations
- 21157 -ASA -00 -ZZ.RT -D -A -0024 _ (S3 -P7) - Unit 03 roof plan
- 21194-BGL-XX-XX-DR-C-00200 Rev.P24 - Proposed Levels Drawing prepared by Burrows Graham

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

24/01257/ANM - Non-material amendment to application 22/01410/FUL to allow for minor amendments to the approved layout plan to enable the retention of additional trees within the site – Approved

22/01410/FUL - Redevelopment of site comprising the demolition of all existing units and erection of new storage and distribution units (Use Class B8) with ancillary office space, vehicular, pedestrian and cycle access, external yards, parking, landscaping and associated works. – Refused and allowed on appeal.

16/00898/SCO EIA Scoping Request in respect of proposed link road.

16/00108/VRCON Variation of condition 2 of planning approval 14/00779/VRCON in order to allow a two year extension (until February 2018) to the period for the deposit of materials and restoration of the site in connection with a development for the construction of equestrian facilities, stables for 40 horses and associated development, horse cross country track and formation of fishing lodges for recreational use – Granted STC.

15/00827/SO Request for screening opinion in respect of a proposed solar park – EIA Required.

14/00779/VRCON Variation of condition 3 of planning approval D44513 in order to allow an 18 month extension (until 11th February 2016) to the period for the deposit of materials and restoration of the site in connection with a development for the construction of equestrian facilities, stables for 40 horses and associated development, horse cross country track and formation of fishing lodges for recreational use – Granted STC.

04/D44513 Construction of equestrian facilities, stables for 40 horses and associated development, horse cross country track and formation of fishing lodges for recreational use – Refused and allowed at appeal.

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.

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 details 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.

Assessment of the non-material amendment

Each aspect of the proposal is assessed in part, as below:

Unit 1 and 2

- Amendments to the hip roof pitch to increase the amount of natural light within the warehouse areas and to maximise the area of potential rooftop PV installations;
- Re-orientation of lower-level cladding panels to provide increased durability and warranty of the cladding system and to create greater architectural interest; and,
- Inclusion of roof mounted natural ventilation units to align with the MEP strategy.

Notes:

The maximum height of unit 1 and 2 will be retained as originally approved with only an alteration to the roof pitch, which will increase slightly to the north-west and south-east elevations, due to the proposed elongated ridge line. The elongated ridge line creates the opportunity to increase the number of integrated roof lights from 44 to 50. This alteration to the roof does not materially alter the appearance of the building since the eaves/ ridge height are to be retained as approved, as well as the hipped roof style and so is accepted as a non-material amendment.

As approved, all panels/cladding are shown to be fitted horizontally from GF level to eaves. Instead, it is now proposed to fit the lower-level cladding panels in a vertical pattern before changing to horizontal at around 7.10m above ground level. This approach would still allow the incorporation of bands of colour across the top half of each elevation of the proposed Units - which the Inspector concluded that this detail *'would provide a far more interesting and distinctive appearance than if each was left blank. From a distance, on a clear day, these bands of colour might even help to diminish visual perception of built form'*. This proposed amendment is therefore found to be non-material.

It is proposed to include 4no roof mounted ventilation units to each single storey lean-to office building on the north west and south east elevations of unit 1 and 2 (8no ventilation units in total). The ventilation units are visually small scale and do not materially alter the appearance and function of the building, therefore the ventilation units as proposed comprise non-material amendments.

Unit 3

- Removal of the pedestrian tower and bridge connecting unit 3 to the car park. A safe crossing point with road markings is now proposed instead of the bridge access.

The following works are also linked with the removal of the bridge:

- Minor ground level changes surrounding unit 3. AOD level of unit 3 remains the same;
- Minor updates to the proposed landscaping where the stair tower was previously located;
- Bike store relocated from south of the battery storage containers to adjacent to the unit 03 offices and slight amendment to the acoustic fence line;
- Slight repositioning of the gatehouse;

Notes

The removal of the pedestrian tower reduces the size of Unit 3 to its north west facing elevation. Other than providing an elevated access point to the building from the car park to the office, this bridge did not contribute to the warehouse floorspace. In its replacement, a safe pedestrian crossing is provided at ground floor level to the office building. This change is therefore found to be non-material, with safe access to the building still being provided.

The changes to the ground level as indicated on the proposed plans are minor in nature and improve access through providing level access/ removing step access to the building. The access point is in the same location as originally approved and therefore non-material.

The vehicular access point remains unaffected for use by HGVs.

Other amendments to Unit 3 comprise of the following:

- Amendments to window arrangement in service of the reposition of outstand section of Unit 3 primary office and loss of bridge access;
- Amendments to the hip roof pitch to increase the amount of natural light within the warehouse areas and to maximise the area of potential rooftop PV installations; and.
- Re-orientation of lower-level cladding panels to provide increased durability and warranty of the cladding system and to create greater architectural interest.

Notes

The revised building would adopt a similar visual appearance to that originally granted permission and so the proposed window alterations are found to be non-material. All office spaces would still have access to natural light and ventilation. The proposed changes to the external elevations (orientation of cladding) and the roof pitch are also found to be non-material (as concluded for units 1 and 2 above).

Updated ground, first, second and third floor plans for Unit 3 have been provided to reflect the proposed external alterations as shown on the elevation drawings. The agent has provided the following table summary of changes. Overall there is a total combined loss of 500sqm in GEA over the three units, and combined loss of 374sqm in GIA. This minor reduction in floor space is non-material to the original approval.



Site Layout

In addition to the above amendments to the units, the following minor changes are proposed to the general site layout:

- EV Charging provision has been expanded to include the provision of a 200a feeder pillar to comply with building regulations and to serve increased needs of occupiers. This has resulted in an increase from 15 EV spaces to 76 EV spaces.
- The dock locations for unit 1 and 2 have moved north slightly, further away from the southern boundary. This is to promote HGV accessibility and promote safe manoeuvring within the yard.
- At the north of unit 3, 7 No. HGV parking bays have been converted to 7no van spaces. This has resulted in an increased landscaping area between the site boundary and HGV parking area.
- The positioning of the acoustic fence line in this location has been updated to reflect the van parking bays. There are no changes to levels or heights in this area.
- A new 2m high brick wall is proposed at the site entrance (as an extension of the already approved acoustic fence), north east of units 1 and 2 to provide increased levels of acoustic protection.

Notes

76no. car parking spaces (revised car parking layout recently approved under application 24/01257/ANM) are proposed to be served and fitted with a 200a feeder pillar underground to support an expanded provision of EV charging. The proposals do not seek to further alter the car parking layout or result in the loss of any spaces. The amended is therefore found to be non-material.

The dock stations are located in a similar position to as approved and so visually do not alter the appearance or functionality of units 1 and 2.

The proposed loss of 7no HGV space and conversion to 7no van space is acceptable. The approved car parking layout otherwise remains unaffected and the HGV turning circle is retained as approved. There is ample provision on site for HGV parking within dedicated bays and so is not considered to be material.

The extended acoustic boundary treatment north of unit 3 and north east of units 1 and 2, as indicated on the proposed site plan, are considered acceptable and are positioned in such a way to not affect the visual amenities of the site, subject to the use of appropriate materials.

Conclusion

Overall, the proposed alterations, together with previous changes made under section 96A, would comprise a non-material amendment to application 22/01410/FUL.

RECOMMENDATION

GRANT subject to the following conditions:

1. This permission relates to the following plans and documents:
 - 21157 - ASA - 00 - ZZ.ZZ - D - A - 0003 _ (S3 - P18) – Proposed Site Plan
 - 21157 - ASA - 00 - EX.00 - D - A - 0030 _ (S3 - P7) – Proposed Fencing Plan
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- 21157 -ASA -00 -ZZ.RT -D -A -0024 _ (S3 -P7) - Unit 03 roof plan
- 21194-BGL-XX-XX-DR-C-00200 Rev.P24 - Proposed Levels Drawing prepared by Burrows Graham

The development shall be carried out in accordance with the approved plans and documents.

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:
INFORMATIVE:

This decision notice is to be read alongside that issued with planning permission 22/01410/FUL. All conditions that were imposed on the previous planning permission remain with the exception of those amended by the listed non-material amendments.

Notwithstanding the submitted details, Condition 11 of planning permission 22/01410/FUL requires a full specification of the materials/finishes to be used for the external surfaces of the approved warehouses, fencing and battery storage container to be submitted to and approved in writing by the Local Planning Authority. This condition is still pending discharge.