

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00382/ANM	Tom Hiles	11 August 2023

Address: Site Adjacent To Chestnut Way Littleborough Rochdale OL15 8RW

Proposal: Application for non-material amendment to planning permission
21/00282/FUL reduction in size by 300mm to main external walls

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/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	Approve
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CHECKED AND SIGNED OFF BY: RG

DATE: 18 August 2023

SITE

The application site comprises land off Chestnut Way in Littleborough, which is subject of a recent full permission ref 21/00282/FUL for the development of nine detached houses and access. The approved scheme comprised four housetypes arranged around a cul-de-sac.

PROPOSAL

The non-material amendment application seeks approval for the following changes to the approved scheme, as described in the application:

Dwellings reduced in size by 300mm to main external walls.

To make the development more spacious in layout. Elevations remain unchanged in design.

The application includes a revised proposed site plan and amended elevations and floorplans for each of the housetypes. As indicated in the application, the footprint of each of the housetypes have been reduced slightly relative to the approved plans.

An example of the amended unit designs is shown below. The amended design is reduced slightly in width. The other units are similarly amended.

Approved housetype 12 (plot 1):



Proposed amended housetype 12 (plot 1):



RELEVANT PLANNING POLICY

National Guidance

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
T2 - Improving accessibility
DM1 - General development requirements

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).

RELEVANT SITE HISTORY

21/00282/FUL - Erection of 9 no. detached dwellings with associated landscaping and access from Chestnut Way. Approved with conditions, 04/01/2023

23/00666/DOC - Submission of details to comply with conditions 3 (Materials), 4 (Windows and Doors), 5 (Dormer Windows), 7 (Levels), 8 (Boundary Treatments), 9 (Tree Protection Measures), 10 (RAMs), 16 (Construction Method Statement), 17 (Drainage), 18 (Coal Mining), 20 (Contamination) of planning permission 21/00282/FUL. Decision pending.

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 changes to the design of the housetypes, comprising a slight reduction in footprint and therefore a corresponding reduction in internal floorspace and the overall volume of each building, and a slight decrease in the overall density and increase in openness of the approved development, would not materially change the approved development in visual or design terms. The general appearance and character of the development would be unchanged.

The proposed changes would not result in any harm in terms of residential amenity or the standard of accommodation. The proposed units would remain acceptable in terms of internal space greatly exceeding the minimum internal floorspaces set out in the Nationally Described Space Standards. Parking arrangements would be as approved, providing two spaces at each unit.

The proposed alterations would not give rise to any other planning considerations.

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 amendments to the approved proposed site plan and housetypes, as indicated on the following drawings:

3586-14 Rev D - Site Plan as Proposed
3586-17 Rev B - House Type 12 Plot 01
3586-19 Rev D - House Type 11 Plots 06 and 09
3586-20 Rev B - House Type 11h Plot 05
3586-21 Rev B - House Type 11G Plot 02
3586-22 Rev B - House Type 10G Plot 03, 04 and 08
3586-24 Rev B - House Type 10Gh Plot 07

are 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 21/00282/FUL. All conditions previously imposed remain in effect.