

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.
23/00992/ANMCASE OFFICER
Bob MellingDATE
19th September 2023**Address:** 56 Gloucester Avenue, Heywood, OL10 2PY**Proposal:** Application for non-material amendment to planning permission 23/00338/HOUS relating to condition 2 (plans).

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/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
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CHECKED AND SIGNED OFF BY: LA DATE: 04.10.23

SITE

The application refers to no. 56 Gloucester Avenue, a two-storey, detached dwelling located in Heywood. The dwelling faces southeast on to the highway, adjacent to no. 54 to the southwest and no. 4 Honiton Close to the northeast.

PROPOSAL

The application seeks a non-material amendment to planning permission 23/00338/HOUS. The alteration would see the addition of off-white render to the northeast-facing side elevation at first floor level, the southwest-facing side elevation at first floor level, the northwest-facing rear elevation at first floor level and the southeast-facing front elevation of the proposed outbuilding.

RELEVANT PLANNING POLICY

Legislation

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

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

RELEVANT SITE HISTORY

23/00338/HOUS Part first floor, part two storey, part single storey side and rear extension, alterations to existing front and side fenestration and erection of single storey outbuilding following demolition of existing conservatory.

Decision: Grant subject to conditions

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 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.

The NPPG further adds 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.'

The application seeks a non-material amendment to planning permission 23/00338/HOUS. The alteration would see the addition of off-white render to the northeast-facing side elevation at first floor level, the southwest-facing side elevation at first floor level, the northwest-facing rear elevation at first floor level and the southeast-facing front elevation of the proposed outbuilding.

The proposed addition of render to the front elevation of the proposed outbuilding would not be publically visible and would not harm the character of the host dwelling or street scene. On this basis, it would not be considered sufficiently material in the context of the approved development.

The existing property is constructed in red brick, with off-white render to the front and southwest-facing side elevations at first floor level. This is a characteristic of the house type and is a prevalent pattern along the street scene.

The proposed addition of off-white render to the host dwelling would be to the side and rear elevations and at first floor level only. Given the proximity of the side walls of the host property to the neighbouring properties, the proposed render would not be widely visible from the street scene. In addition, it would be in-keeping with the existing pattern of render along the street scene.

Therefore, the proposal is not considered to significantly alter the character and appearance of the host dwelling or the wider street scene. In addition, it would not result in any additional impacts on the amenity of the occupiers or the neighbouring properties.

On this basis, the effects of the proposed amendments to planning approval 23/00338/HOUS would not, either in isolation or combination, materially alter the development's impact in terms of its design, relationship with neighbouring uses or impact on the character and appearance of the surrounding area. The amendment would result in no greater material impact than the development as previously approved and, therefore, 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: GRANT subject to the following condition:

1. This permission relates to the following plans:-
 - Proposed Elevations. Drg no. 044ROC-105D
 - Proposed Outbuilding. Drg no. 044ROC-106A

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 adopted

Rochdale Core Strategy, the saved policies of the 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 23/00338/HOUS and all conditions that were imposed on the previous planning permission remain.

Report Author Bob Melling