

Officer Report

Case Reference: OTH/2026/0442
Location: Plot J2, Kingsway Business Park, James Kearns Avenue, Rochdale, OL16 4NR
Proposal: Section 96A application for non-material amendment to planning permission 25/00369/FUL for alterations to the proposed guard hut
Recommendation: Approve with Conditions
Officer: Tom Hiles

Site Description

The application relates to an existing permission ref 25/00369/FUL for various works to an existing warehousing/industrial unit at plot J2 of Kingsway Business Park, required to facilitate the use of the premises (the building itself and external areas) for storing delivery vehicles, including marking out driveways and parking bays, installation of automated vehicle barriers to control van movements, and erection of a freestanding single-storey security guardhouse.

Proposal

The application seeks a non-material amendment to the existing permission under s.96A of the Town and Country Planning Act to amend the design of the approved security guardhouse. The scale and form of the guardhouse would be almost identical to that previously approved, with the external changes limited to a minor change to the design of the flat roof, and minor changes to the designs of frames of windows.

Relevant Planning Legislation

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

Relevant Site History

25/00369/FUL - Alterations to existing elevations including installation of ventilation louvres; installation of ancillary infrastructure to facilitate site operations including sprinkler tanks, pump house, winter module, substation switchroom, transformers, waste storage area, guardhouse and smoking shelter together with alterations to existing retaining wall and installation of metal grid ramp, automated barriers and lighting. Approved with conditions, 02/07/2025.

Representations

In accordance with the Council's Code of Publicity for Planning Applications, the application was not publicised. Given the application relates to one made under S.96a of the 1990 Act, in granting consent the Council is of the view that the amendments would not result in a materially different impact on the surrounding environment.

Analysis

NPPG acknowledges that there is no statutory definition of non-material, and that it is entirely dependent on the context of the overall scheme.

The amendments to the design of the approved guardhouse would not, in the context of the scale and nature of the original permission, materially alter the nature or scale of the approved development.

In light of the above, the proposals are considered to sit comfortably within the scope of an application under s.96A.

Recommendation: Approve with Conditions

Condition(s) (1)

- 2 The development shall be carried out in accordance with the following plans hereby approved:-

- 24086-ASA-00-EX.SI-D-A-NMA03 (S4 - P01) - Proposed Site Plan

- 24086-ASA-00-EX.SI-D-A-NMA04 (S4 - P02) - Proposed Guard House

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.

- 1 This decision notice is to be read alongside that issued with planning permis 25/00369/FUL and all conditions that were imposed on all previous applicati and amendments, with the exception of those conditions which are explicitly varied in accordance with the provisions of this decision, or which have beer explicitly varied by way of other S96A non-material amendments.