

Officer Report

Case Reference: OTH/2026/0365
Location: Land to South of Units G34 - G46, Middleton Shopping Centre, Rochdale, M24 4EL
Proposal: Non-material amendment to planning permission 23/00300/FUL for revisions to the car parking layout
Recommendation: Approve with Conditions
Officer: Aimee Bovaird

Site

This application relates to the south east part of Middleton Shopping Centre units G34- G46. The site is opposite Middleton Bus Station. The shopping centre is two stories and provides parking. South of the shopping centre is a hardstanding pedestrian area that connects to the bus station.

The hardstanding is only accessible to pedestrians and the road access is currently buses only, there is grey metal fencing separating the road and footpath.

Proposal

The application seeks a non-material amendment to planning permission 23/00300/FUL. The alterations include replacing sections of the approved bollards with planters and bollards with minor adjustments to the street furniture. The access and parking will not change.

Relevant Planning History

23/00300/FUL - Use of land to form car parking area comprising of 8 no. short stay parking bays and 2 no. disabled parking bays, associated works including the introduction of cycle parking, planters and bollards and reinstatement of access to Manchester New Road. Approved

15/00669/FUL- Conversion of 8 existing units into four enlarged units including ground floor infill extension, external alterations to include new cladding, shop frontages and external canopy, new car parking area to front with public realm improvements, landscaping and security bollards and formation of new access onto Manchester New Road . Approved

Relevant Planning Policies

Legislation

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

Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Publicity

In line with the Council's code of publicity for this level of application, no letters of notification were issued.

Assessment

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.'

It is not considered that the proposed change of bollards and some planters will have a materially greater effect than the previously approved development in terms of its impacts on the visual amenity of the street scene of surrounding occupiers.

On this basis, the effects the proposed amendment to planning approval 23/00300/FUL 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 amendments 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: Approve with Conditions

Condition(s) (1)

3 This permission relates to the following plans:

Location Plan

Existing Car Park Layout Plan P010

Proposed Car Park Layout Plan P100

Bus Station Car Park Proposed Works BC-MSC-BSCP-A03-001 Rev A

Drainage Strategy 7137-HJCE-00-XX-DR-D-3 Rev P01

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 saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy, the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Approval Reason(s) (1)

2 The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Informatives (1)

1 This decision notice is to be read alongside that issued with planning permission 23/00300/FUL and all conditions that were imposed on the previous planning permission remain.