

DELEGATED DECISION REPORT

NMA/2022/0007
Valid 24/03/2022

J CB LANDPOWER LTD
OAKAMoor ROAD
CHEADLE

NON-MATERIAL AMENDMENT
TO SMD/2019/0723

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

- Whether the proposed changes are “material

DESCRIPTION OF SITE

The area of land comprises the site of Cecilly Mill and a triangular area of grassland to the rear. The site was most recently used by JCB Compact Products Ltd but has been vacant for over 12 months since manufacturing was transferred to JCB's Harewood Estate facility on the edge of the town. All buildings have been demolished down to the concrete slab and Cecilly Brook, which previously ran under the factory within a culvert, now crosses the site within an open channel.

The site measures 3.85ha and is bordered on three sides by existing residential development and has direct access from both Oakamoor and Churchill Roads.

PROPOSAL

Outline planning permission was granted in 2019 year for the re-development of this brownfield site and the triangular field to the rear, for residential purposes for up-to a maximum of 121 dwellings. The application was all matters reserved except for means of access.

The site has now been sold to a housebuilder who gained Reserved Matters approval (SMD/2019/0723 refers). The permission was subject to a number of conditions including condition 2 (approved plans). Details of materials were provided on one of the approved drawings CHE-MP-01E a subsequent NMA was approved to change the brand of roof tiles and therefore the approved materials drawing is now CHE-MP-01F. A further NMA relating to material changes approved drawing no CHE-MP-01G

This application is a further NMA seeking approval for drawing no. CHE-MP-01H which shows Amended bricks to plots 53-76 & 84-99 from Welbeck Autumn antique to Brunswick Farmhouse Mixture

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

N/A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

The site has a wide and varied planning history linked to its previous uses, none of this is however relevant to the wider redevelopment of the site.

SMD/2017/0660 -Outline permission with some matters reserved (except access) for residential development of up to 121 dwellings – Approved Nov 2019

SMD/2019/0723 – Approval of reserved matters relating to SMD/2017/0660

CONSULTATIONS

N/A

OFFICER COMMENTS

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](#).

In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

The application is a seeks to amend bricks to plots 53-76 & 84-99 from Welbeck Autumn antique to Brunswick Farmhouse Mixture. The proposed Brunswick Farmhouse Mixture is a red wire cut brick similar to those used elsewhere on the site and the area generally and therefore is deemed to be acceptable.

The proposed change is therefore considered to be non-material and a recommendation of approval is given.

OFFICER RECOMMENDATION : Approve as an NMA

Case Officer: Ben Haywood

Recommendation Date: 13th June 2022

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council

MAIN ISSUES

- Whether the proposed changes are “material

DESCRIPTION OF SITE

The area of land comprises the site of Cecilly Mill and a triangular area of grassland to the rear. The site was most recently used by JCB Compact Products Ltd but has been vacant for over 12 months since manufacturing was transferred to JCB's Harewood Estate facility on the edge of the town. All buildings have been demolished down to the concrete slab and Cecilly Brook, which previously ran under the factory within a culvert, now crosses the site within an open channel.

The site measures 3.85ha and is bordered on three sides by existing residential development and has direct access from both Oakamoor and Churchill Roads.

PROPOSAL

Outline planning permission was granted in 2019 year for the re-development of this brownfield site and the triangular field to the rear, for residential purposes for up-to a maximum of 121 dwellings. The application was all matters reserved except for means of access.

The site has now been sold to a housebuilder who last year gained Reserved Matters approval (SMD/2019/0723 refers). The permission was subject to a number of conditions including condition 2 (approved plans). Details of materials were provided on one of the approved drawings CHE-MP-01E a subsequent NMA was approved to change the brand of roof tiles and therefore the approved materials drawing is now CHE-MP-01F.

This application is a further NMA seeking approval for drawing no. CHE-MP-01G which shows Amended bricks to plots 6-22 & 100-113 from Alderly Russett to Mercia Orange Multi.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

N/A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

The site has a wide and varied planning history linked to its previous uses, none of this is however relevant to the wider redevelopment of the site.

SMD/2017/0660 -Outline permission with some matters reserved (except access) for residential development of up to 121 dwellings – Approved Nov 2019

SMD/2019/0723 – Approval of reserved matters relating to SMD/2017/0660

CONSULTATIONS

N/A

OFFICER COMMENTS

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](#).

In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

The application is a seeks to amend bricks to plots 6-22 & 100-113 from Alderly Russett to Mercia Orange Multi. Mercia Orange Multi has been approved for use elsewhere on the site and therefore is deemed to be acceptable.

The proposed change is therefore considered to be non-material and a recommendation of approval is given.

OFFICER RECOMMENDATION : Approve as an NMA

Case Officer: Ben Haywood

Recommendation Date: 3rd August 2021

X

On behalf of Staffordshire Moorlands District Council

OFFICER RECOMMENDATION :

Case Officer: Ben Haywood

Recommendation Date:

X

On behalf of Staffordshire Moorlands District Council