

DELEGATED DECISION REPORT

NMA/2023/0034
Valid 18/12/2023

VULCAN REFRACTORIES
LTD DRAYCOTT CROSS
ROAD
BROOK HOUSES
CHEADLE

NON MATERIAL AMENDMENT
RELATING TO SMD/2022/0350

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

The impact on flood risk
The impact on the appearance of the site

DESCRIPTION OF SITE

The site comprises a vacant piece of land within industrial premises on an industrial estate on the west side of Cheadle. It is adjacent to an existing factory building on a neighbouring premises to the west and a wooded river/brook to the east. It is immediately to the rear of (south of) an existing warehouse within the property. To the south is the end of Keates Way cul-de-sac, another industrial estate road. There are other industrial buildings to the other side of the brook to the east.

PROPOSAL

This is a Non Material Amendment application to vary Condition 7 of a planning permission for a new industrial building for the plot (permission SMD/2022/0350). The condition is as follows:

7. The development hereby permitted shall not be brought into use until the approved drainage scheme shown in the drawings below received by the Council on 15th March 2023

have been implemented:-

220530-C2C-XX-XX-C-500-P03 Drainage Layout

220530-C2C-XX-XX-C-501-P01 Drainage Details

220530-C2C-XX-XX-C-502-P01 Headwall Detail

ACO H Range RD 300V Channel Installation Drawing 23757b

Typical Drawing - Duplex Pump Horizontal GRP

Typical Drawing - Duplex Pump Horizontal GRP 2

Reason:-

To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.

The applicant wants to make changes to the approved drainage scheme and has submitted a drawing of an amended drainage scheme to substitute drawing 500-P03 above. If the amended drainage scheme is considered acceptable then the condition attached to the planning permission would also need to be amended to

change the drawing numbers above. This is the purpose of this application. Non Material Amendment applications can be used to make variations to the wording of conditions where this is considered to be “non material”.

The application also looks to vary Condition 2 which refers to all of the approved drawings which the proposed development must be built in accordance with.

The Council must therefore decide if the alterations to the drainage scheme can be treated as a “Non Material Amendment” to the approved scheme in terms of whether or not the alteration has any significant additional impact on the character, appearance and amenities of the area and the surrounding environment in general. If it is considered the change would have a significant impact, the application would be refused and a new full planning application or a full Variation of Condition application would be required to be submitted for the alteration to the scheme.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

DC1 – Design Considerations
SD5 – Flood Risk

NPPF (Revised July 2021)

Sections 12 (Design) and 14 (Climate Change and Flooding).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2022/0350: Planning permission for new factory building.

DOC/2023/0058: Discharge of Condition application for SMD/2022/0250: Pending.

CONSULTATIONS

Publicity

Site Notice expiry date: N/A
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

None.

OFFICER COMMENTS

A Discharge of Condition application (DOC/2023/0058) was submitted at around the same time as this current Non Material Amendment (NMA) application to gain approval of details required by Condition 12 of the planning permission, which requests details of the proposed foul water drainage scheme. Condition 7 meanwhile requires that

the approved full drainage scheme is carried out before the development is first brought into use (i.e. occupied and in use) in accordance with the stated drawings in Condition 7. Therefore any changes approved to the foul water drainage scheme in DOC 2023 0058 would have to result in the drawings listed in Condition 7 needing to be amended, which is the purpose of this application. In some respects the two applications are dependent on one another and should be determined concurrently.

The changes to the foul water drainage scheme have now been approved (but the formal decision for DOC 2023 0058) is yet to be issued as it seeks to approve details required by other conditions of the planning permission e.g. building materials.

As the amended foul drainage scheme has now been approved, the amendment to the wording of Condition 7 which lists the drainage drawings that the development needs to be built in accordance with, can also now be approved.

The Council is satisfied that the amended foul drainage scheme would not lead to any flooding issues or any other impacts on the environment in general.

Condition 7 will therefore be amended to include the revised drainage strategy drawing and in turn Condition 2, listing all of the development drawings, can also be amended accordingly to include this drawing.

CONCLUSION

The proposed amendment will not cause any additional harm to the amenities and character of the area or lead to any flooding problems in relation to what was approved under planning permission SMD 2022 0350 and therefore can be treated as a Non Material Amendment to the previous approval and therefore the Non Material Amendment application, varying Condition 7 of the planning permission, can be approved.

OFFICER RECOMMENDATION : APPROVE NMA

Case Officer: Chris Johnston

Recommendation Date: 4.3.24

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council