

DELEGATED DECISION REPORT

NMA/2024/0005
Valid 12/03/2024

HARFLOW FARM
HARFLOW LANE
CHEADLE

**APPLICATION FOR A NON-
MATERIAL AMENDMENT
IN RELATION TO
APPLICATION SMD/2023/0622**

**(NON MATERIAL
AMENDMENTS)**

MAIN ISSUES

The impact on the character and amenities of the area and highway safety.

DESCRIPTION OF SITE

The site comprises a detached dwelling in the open countryside a short distance to the south-east of Cheadle. It lies to the south of Harflow Lane, a country lane which also provides the access the site via a long driveway. The site is surrounded by open land.

PROPOSAL

This is a Non Material Amendment application to vary Condition 4 of a planning permission (SMD/2023/0622) for the change of use of the dwelling into a care home for three children with staff. The condition is as follows:

4. The number of overnight staff at the site shall not exceed two at any one time.

The applicant has submitted the application to vary the condition to allow a third member of overnight staff when needed. A covering letter is included in the application which states the following:

*In granting consent the Local Authority has imposed a planning condition that stipulates that the number of overnight staff shall not exceed two at any one time. Whilst that would indeed be the case in the majority of instances, the applicant needs the flexibility to be able to have a further member of staff on site if the need arises, as the planning consent will need to reflect the Ofsted Registration. To this end we propose the variation of condition 4 to read as follows:
“4. The number of overnight staff at the site shall not exceed three at any one time”*

Non Material Amendment applications can be used to make variations to the wording of conditions where this is considered to be “non material”.

The Council must therefore decide if the occasional allowance of an additional Member of staff to stay overnight for care purposes can be treated as a “Non Material Amendment” to the approved scheme in terms of whether or not this

alteration would lead to any significant additional impacts on the area i.e. on the character, appearance and amenities of the area, 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)

SS10 Other Rural Areas Strategy
H1 New Housing
DC1 – Design Considerations
T1 – Sustainable Transport

NPPF (Revised Dec 2023)

Sections 5 (Housing).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2023/0622: Change of use from dwellinghouse (Use Class C3) to care home for children (Use Class C2). Approved on 1st March 2024.

CONSULTATIONS

Publicity

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

Public Comments

None.

OFFICER COMMENTS

The condition to restrict the number of overnight staff is one of the conditions imposed to prevent an intensification of the use of the site as a staffed care home which may lead to harm to the character and amenities of the area and also lead to an increase in traffic on rural roads due to the increase in the number of people travelling to and from the site. A condition was also added to restrict the number of children to three. The number of staff restricted, two, appears to be on the basis of the information provided in the planning application regarding the operational requirements of the care home. It has come to light that an additional member of staff may be occasionally needed for overnight care purposes.

Given the size of the building and its rural location and significant distance from neighbouring properties, I do not consider the allowance of one further Member of staff would lead to any significant additional impact on the character and amenities of the area and any increase in vehicle movements to get to and from the site would be marginal and also not lead to any problematic noise and disturbance or would compromise highway safety.

CONCLUSION

The proposed amendment to the condition will not cause any significant additional harm to the character and amenities of the area or to the environment in general or affect highway safety. The change can therefore be treated as a Non Material Amendment to the previous planning approval and therefore the Non Material Amendment application, varying Condition 4 of the planning permission, can be approved.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 2.5.24

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council