

DELEGATED DECISION REPORT

NMA/2025/0026
Valid 16/12/2025

LAND AT UTTOXETER ROAD
BLYTHE BRIDGE

**NON MATERIAL AMENDMENT IN
RELATION TO SMD/2023/0368 -
ALTERATION OF CAR PARK
LAYOUT DUE TO ROOT
PROTECTION ZONE**

(NON MATERIAL AMENDMENTS)

MAIN ISSUES

- Non-material amendment application, therefore consideration is given to whether or not the change is material in the context of the overall extant planning consent (reference SMD/2023/0368).

DESCRIPTION OF SITE

The application site is located to the west/north-west of Blythe Bridge library and adjacent to the boundary with Blythe Bridge High School. Vehicular access is via a driveway which is shared with the library and a public car park. The site originally consisted of two, two-storey blocks which had formally been used for residential purposes and a flat roof building which has previously been used as a police station. To the rear of these buildings there was a tarmac parking/turning area. Hybrid planning permission (SMD/2023/0368) was granted for the redevelopment of the site to for 12 self-contained flats for the elderly, along with car parking, landscaping and associated private amenity space. The scheme also involved provision of a new public car park, and outline planning permission (all matters reserved) for the erection of a new community building. The permission has been implemented, photographs within the file show that building works are well under way.

This is a brownfield site within the Blythe Bridge Development Boundary; it is not within any Conservation Area and there are no listed buildings/structures or protected trees which need to be considered.

PROPOSAL

This is a non-material amendment application to seek consent for altering the car park layout and soft landscaping because of tree protection zones. No further information is provided beyond this (application form).

Image 1 below is a copy of the proposed layout plan (the subject of this application). Image 2 shows the scheme approved under application reference number SMD/2023/0368.

Image 1 – Proposed layout

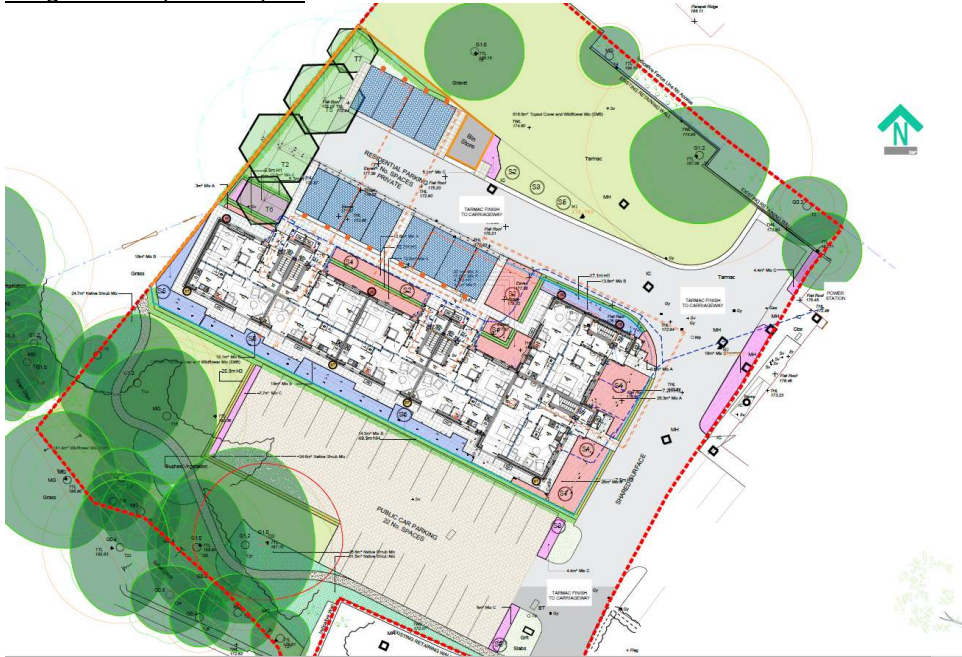


Image 2 (below) is the approved car park layout plan (SMD/2023/0368)



RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

The following Staffordshire Moorlands Local Plan policies are relevant to the application.

- SS1 Development Principles

- SS2 Settlement Hierarchy
- SS3 Future Provision and Distribution of Development
- SS4 Strategic Housing and Employment Land Supply
- SS8 Larger Villages Areas Strategy
- SD1 Sustainable Use of Resources
- E3 Existing Employment Areas, Premises and Allocations
- H1 New Housing Development
- H2 Housing Allocations
- H3 Affordable Housing
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- C1 Creating Sustainable Communities
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport
- Appendix 2 Parking Guidance

The National Planning Policy Framework is relevant in the consideration of the application, including sections;

- Section 2: Achieving sustainable development
- Section 4: Decision making
- Section 5: Delivering a sufficient supply of homes
- Section 6: Building a strong, competitive economy
- Section 8: Promoting Healthy and Safe Communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 15: Conserving and Enhancing the Natural Environment

National Planning Policy Guidance

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands
2. Space About Dwellings

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide
2. Developer Contributions.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- | | |
|---------------|---|
| 94/00777/OLD | Consultation application under the General Regulations in respect of conversion of police house to form office. Approved. |
| 94/00951/OLD | Proposed conversion of police house to offices. Approved. |
| 02/00143/FUL | Conversion of dwellings to interview facilities. Approved. |
| SMD/2022/0643 | Demolish the existing 2 No. two-storey residential buildings and 1 single-storey building currently disused, to erect 10 self-contained flats for the elderly with associated car parking and bin store for |

affordable rent. New public car park to serve the village centre and a future single-storey community building, both to be owned and managed by the Parish Council. Withdrawn

SMD/2023/0368

Demolish the disused existing x2 Two-storey residential buildings and 1 single-storey building and to erect 12 self-contained flats for the elderly with associated parking. Also, a new public car park to serve the village centre. Approve.

CONSULTATIONS

Whether publicity is required is addressed at PPG 005 Reference ID: 17a-005-20140306. The paragraph reads:

‘As an application to make a non-material amendment is not an application for planning permission, the existing Town and Country Planning (Development Management Procedure) (England) Order 2015 provisions relating to statutory consultation and publicity do not apply. Therefore, local planning authorities have discretion in whether and how they choose to inform other interested parties or seek their views.’

‘As by definition the changes sought will be non-material, consultation or publicity are unlikely to be necessary, and there are unlikely to be effects which would need to be addressed under the Environmental Impact Assessment Regulations 2011.’

It was considered reasonable to seek the views of the County Highways officer regarding the parking layout and the council’s Arboricultural officer, regarding impact upon trees / planting. Whilst the proposed changes do appear to be minimal it was considered that professional highways and arboricultural advice was necessary.

Staffordshire County Council Highways

No objections or comments to make as the number of spaces is the same, just the layout has slightly changed.

Arboricultural Officer (SMDC)

Summary: NMA application is lacking, and to some extent handicapped by, an updated arboricultural report, as the present condition of several mature Ash trees which may be declining due to Ash Dieback Disease could be instrumental in influencing which car park layout – already approved, or now-proposed amended – is more appropriately implemented. However, no objection in principle to the NMA application. The amended landscape scheme is suitable for the proposed amended layout. Previous conditions should be re-imposed/confirmed as still applicable in the event that this NMA application is approved.

It is slightly difficult to comment precisely, in that the now-proposed amended car park layout plan (Drg. No. 72130/L(90)002 Rev G) does not have the tree Root Protection Areas (RPAs) indicated. Going back to the original arboricultural report which supported the planning application submission for SMD/2023/0368, the arboricultural impact assessment plan contained within that report showed the then-proposed/currently approved layout in relation to tree RPAs for most trees, but RPAs for the closest trees Nos. T20, T21 and T22 were not plotted on this plan as these particular trees were indicated to be removed (I commented at the time that although significantly sized, they appeared to be succumbing to Ash Dieback and their continued decline and need for removal in the near future would be anticipated anyway). However, the RPAs for T20, T21 and T22 are plotted on the arb report Tree Constraints Plan, from which it is possible to reasonably accurately estimate the forms/positions of both the already approved layout (shown on Drg. No. D101 Rev Af) and the now-proposed amended layout (shown on Drg. No. 72130/L(90)002 Rev G) in relation to all tree RPAs. I have attached a rather crude sketch plan (apologies for quality) to generally indicate the comparative positions of the approved and proposed amended car park layouts in relation to all tree RPAs.

On this basis, it would appear that

- The already approved car park layout would directly require removal of T22 (southern edge car park would be immediately adjacent to stem position), would encroach substantially into the RPA of T21 (very likely sufficient to cause or accelerate terminal decline of this tree), and encroach by a small amount into the RPA of T20 (unlikely to cause significant adverse impact). Assuming the proposed (and directly necessary in the case of T22) removal of all 3 trees as indicated in the tree report, I did not object to the approved application SMD/2023/0368 notwithstanding these likely impacts, due to the already-present signs of Ash Dieback in these trees.

- The now-proposed amended car park layout appears to suggest retaining these 3 trees, although given the age of the previous arb report (report itself dated 2023 but site visit/survey/tree assessment in April 2021) I would strongly suggest that the applicant seek updated arboricultural advice on the trees' condition to establish whether their retention (on, effectively, public open space and in proximity to/overhanging a proposed car park) is in fact appropriate at all on tree safety management grounds. If these trees are retained, the now-proposed amended car park layout would still encroach – but by a much lesser amount – into the larger RPA of T21, and would avoid the RPAs of T20 and T22. However, there would be a new encroachment into the RPA of T15 which would not be affected by the existing approved scheme. T15 is also a mature Ash, so may also be infected by Ash Dieback but this is not recorded in either the original arb report or my previous comments, so present condition is unknown. The proposed amendment would not, therefore, avoid encroachment into, and potential root damage within, all RPAs.

If T21 and T22 are anyway to be removed due to their condition/safety considerations, and if T15 is in good/safe enough condition to retain, it would be best to stick with the already approved layout (which does not impact on T15) rather than cause new and potentially harmful impact to this tree by the proposed amended layout. Again I would urge the applicant to obtain up to date arboricultural advice on the present condition. That said, although the balance of which RPA(s) would be affected and by what amount would be altered, the overall encroachment into combined RPAs of all trees would be less under the proposed amended scheme, and on that basis and especially if the condition of T15 is also such that it is also unsuitable for long term retention irrespective of development proposals I have no objection to this NMA application. Previously imposed conditions in relation to trees should be re-imposed in the event that this NMA application is approved.

The proposed amended landscaping scheme set out on Drg. No. 71153 D900 RevD is fully specified and appropriate to the amended car park layout if that is what is implemented. My only comment is that the narrow strip of shrub bed ("5.1 square metres Mix B") is barely 0.5m wide but enclosed between the northern elevation of the proposed new building (side of Plots 11 & 12) and a proposed new evergreen hedge ("16.2 square metres H1"), and the shrubs are very unlikely to establish and survive. Whilst I have no actual objection to them being planted, I would suggest this strip would be better gravelled.

Condition 22 of planning permission SMD/2023/0368 already provides for securing implementation and maintenance of an approved landscaping scheme, so should simply be re-imposed with an updated drawing reference number in the event that this NMA application is approved.

OFFICER COMMENTS

The principle of the development has already been accepted and application SMD/2023/0368 implemented. The Government's Planning Practice Guidance (PPG) states: 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.

Wording in the above referenced legislation (96A) says: 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 (or permission in principle) as originally granted. Other than this submission, there have been no Non material amendment applications made.

The changes to the car parking layout and landscaping proposal would appear minor to anyone viewing the site, the car park would still be provided and there is no attempt to avoid landscaping works, indeed the plans show that the new landscaping proposal would be broadly the same at that approved at application stage. As the Tree Officer comments above, there would be a new encroachment into the RPA of T15 which would not be affected by the existing approved scheme. T15 is a mature Ash, so may also be infected by Ash Dieback but this is not recorded in the original arb report so its present condition is unknown. However there is less encroachment or none at all in the proposed amendment for T20 T21 and T22. In the context of the overall scheme therefore the position with regard to the trees is judged to be minor and inconsequential

The proposed alterations would not have any impact upon the proposal as a whole; the nature of the scheme would remain the same. The County Highways officer has confirmed he has no objections to the amended layout and that the number of spaces would remain the same. Whilst the Councils Arboricultural officer's comments are noted, the proposal does not change the overall context of the approved scheme, and it is reasonable to conclude that the proposed change is non material.

CONCLUSION / PLANNING BALANCE

It is concluded that the NMA application for the alteration to the parking layout and landscaping scheme would not be material. It is recommended that the application is approved.

OFFICER RECOMMENDATION : Approve.

Case Officer: Lisa Jackson

Recommendation Date: 11.02.2026.

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council