

DELEGATED DECISION REPORT

NMA/2023/0018
Valid 03/08/2023

MCDONALD'S GLOSSOP
BROOK ROAD
GLOSSOP

**APPLICATION FOR A NON-
MATERIAL AMENDMENT IN
RELATION TO APPLICATION
HPK/2021/0651.**

**(NON MATERIAL
AMENDMENTS)**

MAIN ISSUES

The main issue relates to whether the proposed amendment to the approved scheme is non-material.

DESCRIPTION OF SITE

The application site is located to the West of Glossop centre behind the Wrens Nest shopping centre, and to the northeast of Tesco. The site is within the built-up area boundary for Glossop and the Glossopdale sub-area within the Local Plan. The site lies outside of the Wrens Nest Conservation Area (located to the south) and away from any listed buildings. The application site is just under 500m from the edge of the town centre along High Street West. Site access is off the eastern spur of Glossop Brook Road.

The site comprises a vacant public house and its associated car parking area. Until recently the site was bounded by trees on the southern and eastern boundary, separated from the site levels by a timber retaining wall; however, the trees along the eastern boundary have been removed. The site slopes down from East to West, and from North to South. Stepped pedestrian access is provided on the Western boundary to road level.

The surrounding area is commercial in nature comprising a mix of predominantly retail units. The retail park to the south provides a Next, Iceland, Costa, Carpetright and a number of other units. Tesco and a Tesco Petrol Filling Station is located to the southwest, with access from Glossop Brook Road, similar to the retail park. North of the site is a single storey Burger King restaurant premises (formerly a KFC restaurant). On the opposite side of the road is a two-storey office block. Wickes Trade and DIY are located to the east.

The application site is approximately 0.39ha, comprising primarily of a combination of hard standing, grassland, amenity tree and shrubs, a two storey building, a parcel of broadleaved woodland, and a steep bank of neutral grassland with ruderal and emerging scrub growth following recent clearance. A water course (Glossop Brook) lies immediately to the south.

The land to the immediate south of the site lies within Flood Risk Zones 2/3, associated with the Glossop Brook. The river is designated as a Wildlife Site (Policy EQ5 - Biodiversity). The site is within the Settled Valley Pastures and Urban landscape character areas. An intermedia pressure pipeline runs under the site.

There are live applications for advertisement consent for various signs associated with the intended development.

PROPOSAL

The proposed amendment to the approved plans consists of the relocation of the EVCP bays. This amendment has been requested for operational purposes. There have been no other alterations proposed.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0002/0803 – Redevelopment of Wren Nest Mills Industrial – Peak Ext. New Units. Residential- Elderly Persons Acc. Retail- New Superstore. Approved.
HPK/0002/8047 – Non-food Retail Units. Withdrawn.
HPK/0003/5403 – Ground Modelling / landscaping Works Utilising Spoil from Adjoining Development. Approved.
HPK/2003/0030 – Non Food Retail Development and Drive-Thru Restaurant. Withdrawn.
HPK/2003/0935 – 3 No. Retail Units and Drive-Thru Restaurant. Approved.
HPK/2004/0511 – Public house / restaurant. Approved.
HPK/2004/0589 – Signage for Proposed Development of Land for Restaurant / public house. Approved.
HPK/2006/0321 – One Promotional Display. Refused.
HPK/2006/0860 – New Brewery Signage. Refused.
HPK/2007/0449 – Enclosed External Childrens Play Area. Approved.
HPK/2007/0811 – Signage. Approved.
HPK/2008/0094 – Two pole-mounted signs. Approved.
HPK/2017/0322 – Proposed erection of replacement illuminated and non-illuminated signs to the exterior of the building. Approved.
HPK/2021/0651 – Freestanding McDonald's Restaurant with drive thru, car parking, landscaping and associated works, including customer order displays (COD) and associated works. Approved.
HPK/2022/0034 – Application for consent for installation of 6 No fascia signs, 3 No booth lettering signs and 1 No 15" digital booth screen. Pending.
HPK/2022/0036 – Application for consent for installation of various site signage including 4 No freestanding signs, 2 No banner units and 19 No dot signs. Pending.
DET/2022/0004 – Application to determine if prior approval is required for a proposed: Demolition of vacant public house. Withdrawn.
DET/2023/0006 – Application to determine if prior approval is required for a proposed demolition of buildings – vacant public house. Approved.
DOC/2023/0027 – Discharge of condition 6 relating to HPK/2021/0651. Triage.

DOC/2023/0028 – Discharge of condition 13 relating to HPK/2021/0651. Approved.
DOC/2023/0031 – Discharge of condition 14 relating to HPK/2021/0651. Approved.
DOC/2023/0032 – Application for approval of details reserved by condition 17 in relation to application HPK/2021/0651. Approved.
DOC/2023/0037 – Discharge of condition 6 in relation to DET/2023/0006. Approved.
DOC/2023/0038 – Application for approval of details reserved by condition 3 in relation to application HPK/2021/0651. Approved.

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.

This application seeks to confirm whether an alteration to the approved plans for the erection of a freestanding McDonald’s restaurant with drive thru, car parking, landscaping and associated works, including customer order displays (COD) and associated works under the application HPK/2021/0651 would constitute a non-material amendment. This alteration consists of the relocation of the EVCP bays. No further alterations have been proposed.

With regard to the nature and scale of the proposed amendment, it is considered that the amendment would not materially alter from the approved development scheme. The relocation of the EVCP bays is considered de-minimis within the context of the development overall which sits within a predominantly commercial area. This is a small alteration which would not be visually obtrusive or detrimental to the area.

The proposed alteration is considered to be minor in nature and would not adversely affect the character or appearance of the development as approved. Thus, the character of the building and surrounding area would continue to be maintained despite the alterations to the approved development.

CONCLUSION / PLANNING BALANCE

In conclusion, it is considered that within the context of the application, the proposed Change is non-material. The amendment is considered de-minimis and would not have a detrimental visual impact on the approved development site or wider street scene. Furthermore, the alteration would not impact neighbour amenity any more than what has already been approved. Therefore it is recommended that the application is approved.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins

Recommendation Date: 31/08/2023

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council