

DELEGATED DECISION REPORT

NMA/2023/0019
Valid 24/08/2023

THE WRENS NEST
WREN NEST RETAIL
GLOSSOP BROOK ROAD
GLOSSOP

NON MATERIAL AMENDMENT
RELATING TO HPK/2021/0651

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

- Whether the proposed amendment amounts to a material change to the approved scheme under HPK/2021/0651

DESCRIPTION OF SITE

The application relates to the former Wrens Nest public house, which has recently benefited from full planning permission for a McDonald's restaurant with drive thru and car parking, landscaping and associated works, approved on 14th April 2023.

PROPOSAL

The application seeks amendments to the approved scheme which as stated on the Application Form, relates to the minor reconfiguration of the retaining wall bordering Glossop Brook Road. These works show the loss of a single tree, which is to be relocated to the south, and minimal changes to the hardstanding associated with the drive thru element of the site.

The approved plans are proposed to be superseded by amended plans as follows:

Block Plan	(Rev J)	replaced by	Block Plan	(Rev K)
Site Plan	(Rev L)	replaced by	Site Plan	(Rev M)
Landscape Plan	(Rev D)	replaced by	Landscape Plan	(Rev E)
Raised Planters	(Rev C)	replaced by	Raised Planters	(Rev D)

OFFICER COMMENTS

There is no statutory definition of 'non material' as the context of each site and the nature of the proposed amendment needs to be considered on an individual case by case basis. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant planning permission, under Section 96A of the Town and Country Planning Act 1990. This procedure, which is not an application for planning permission in its own right, does not include the provisions under the Town and Country Planning (Development Management Procedure) (England) Order 2015 relating to statutory consultation and publicity.

A non-material amendment application, if successful, would not create a new planning permission and the original permission would still stand, but would be modified as detailed by the non-material amendment decision.

In this case, the changes shown to the retaining wall are not considered to materially alter the character and appearance of the development or indeed the wider street scene, and would not give rise to any potential adverse impacts that are required to be re-assessed, given that the single tree to be lost would be re-located within the development and thus no loss to biodiversity.

CONCLUSION / PLANNING BALANCE

In light of the above, it is concluded that the proposed amendments are not material to the scheme approved under HPK/2021/0651 and as such the application is recommended for approval.

OFFICER RECOMMENDATION : Approve

Case Officer: James Stannard

Recommendation Date: 10th October 2023

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council