

DELEGATED DECISION REPORT

NMA/2025/0009
Valid 28/02/2025

FERNEY BOTTOM FARM
GRINLOW ROAD
HARPUR HILL
BUXTON

NON MATERIAL AMENDMENT
IN RELATION TO
HPK/2021/0020

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

The main issue relates to whether the proposed amendments to the approved scheme are non-material in nature.

PROPOSAL

The application seeks a 'revised' Non-Material Amendment (NMA) to the original planning permission ref. HPK/2021/0020 for the proposed 3760sq.m portal framed building with ancillary office accommodation at land at Ferney Bottom Farm, Harpur Hill, Buxton.

The revised proposal comprises of the following elements:

- a) Car parking relocated adjacent to proposed office accommodation.
- b) Depth of yard and associated turning area for service vehicles amended by relocating parking bays.
- c) Fenestration revised to suit proposed location of office accommodation and core.
- d) Schedule of proposed facing materials, comprising of a grey and green palette.
- e) Location and number of vehicle and personnel doors amended to suit internal fit out.
- f) Office and ancillary accommodation relocated to suit internal layout.
- g) Rooflights amended with some removed over office accommodation.

In addition, a revised Location Plan shows the extent of land ownership as edged blue.

The proposed subdivision of the building and solar panels has now been omitted from the NMA. The applicant is fully aware that any subdivision of the planning unit would require a full planning application given the material change to the original planning permission, including its description. In addition, a solar panel submission for approval would need to be appropriately detailed to avoid planning conditions securing further detail for approval.

The proposed drawings are as follows:

- Site and Access Road Plan drawing ref. 3427/100 Rev K received 4th July 2025
- Site Layout Plan drawing ref. 3427/101 Rev M received 4th July 2025
- Elevations drawing ref. 3427/104 Rev M received 1st July 2025
- General Arrangement Plan drawing ref. 3427/105 Rev H
- Roof plan drawing 3427/107 received 22nd May 2025
- Schedule of Building Materials received 1st April 2025
- Location Plan drawing ref. 3427/106 Rev Z received 19th May 2025

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2021/0020 - New 3760sq.m portal framed building with ancillary office accommodation over two floors and service yard with operational and visitor parking including cycle and motorcycle parking at Ferney Bottom Farm, Grinlow Road, Harpur Hill, Buxton. APPROVED 29th October 2021.

CONSULTATIONS

Local Highways Authority (LHA)

20.06.25:

The access layout, including visibility splays, is exactly the same as that in the original application.

As Morland Road is not part of the publicly maintainable highway, the site access is outside of the LHA's jurisdiction, hence the LHA would not have been able to insist on conditions to control the formation of the access e.g. width, kerb radii and visibility splays. However, it would seem entirely sensible and reasonable for the access to be constructed to a useable and safe standard and constructed prior to occupation of the premises.

I would advise conditions similar to those below; however, the inclusion of the conditions controlling the access layout and timing of its construction would ultimately be for the LPA to decide and impose, as the access itself is off a private road.

The development hereby approved shall not be brought into use until the access off Morland Road has been constructed as shown on drawing number 2808 3427-100 J.
Reason:- To ensure conformity with submitted details.

The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 47 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason:- In the interests of highway safety.

11.06.25:

The plans only relate to the internal layout i.e. parking and turning layout and there are no proposed alterations to the main site access off Morland Way.

The internal parking and turning area(s) are considered to be acceptable.

28.04.25:

Having assessed the attached plans, it appears that the proposed amendment is to the internal parking and turning area fronting the premises; if there are other amendments proposed which I have not addressed please let me know. The proposed parking provision is the same as the previously approved layout in terms of numbers of spaces and the spaces are accessible. The turning space is considered sufficient to allow HGVs to manoeuvre within the site. Based on the attached layout, there are no LHA objections to the amendment proposed in the above application. It is assumed that the amended layout will be conditioned accordingly.

OFFICER COMMENTS

In relation to non-material amendments, Planning Policy 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.

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](#)”.

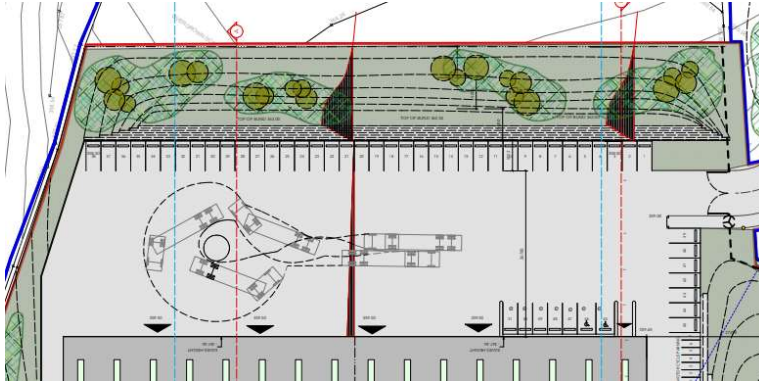
NPPF paragraph 140 states: “Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)”.

The application seeks a NMA (Non-Material Amendment) to planning permission ref. HPK/2021/0020 for the proposed minor alteration of the scheme.

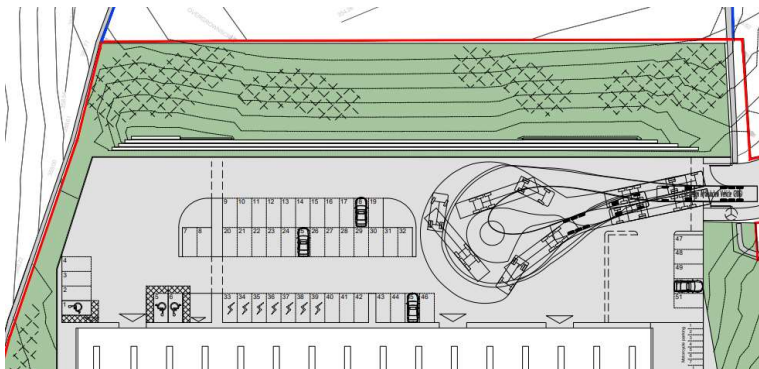
The revised proposal comprises of the following elements:

- a) Car parking relocated adjacent to proposed office accommodation, and,
- b) Depth of yard and associated turning area for service vehicles amended by relocating parking bays.

Approved:



Proposed:



The Local Highway Authority have been consulted regarding the proposed yard layout changes and raise no objections. Whilst site access remains unaltered from the approved position, and Morlands Way remains outside of the jurisdiction of the LHA, it is stated that it would seem entirely sensible and reasonable for the access to be constructed to a useable and safe standard prior to occupation of the premises. Planning conditions are therefore recommended ensuring implementation of access with visibility prior to first occupation of the building.

The proposed site layout appears to show a more generous service strip to the rear of the building when compared to approved site levels details in relation to Condition 05 (ref. DOC/2024/0077) of the original permission ref. HPK/2021/0020. The applicant will be reminded by means of an informative to the decision that detailed levels matters are set out within the condition discharge approval and therefore the site plan is considered to be indicative only in such circumstances.

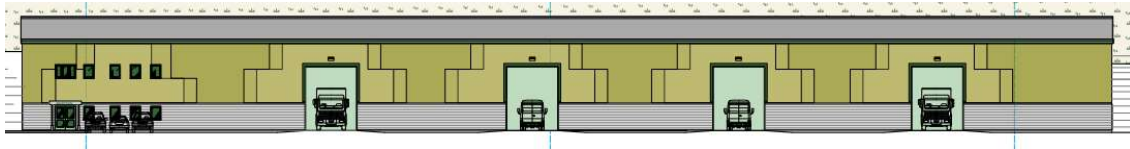
In addition, the other proposed alterations are listed below:

- c) Fenestration revised to suit proposed location of office accommodation and core.

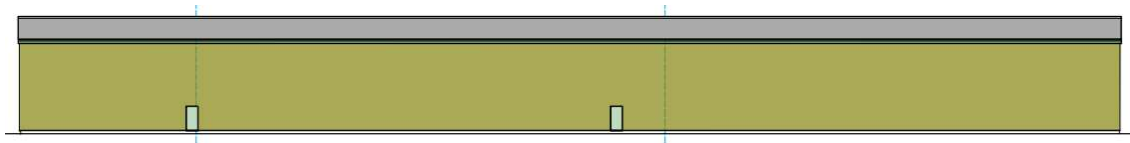
- d) Schedule of proposed facing materials, comprising of a grey and green palette.
- e) Location and number of vehicle and personnel doors amended to suit internal fit out.
- f) Office and ancillary accommodation relocated to suit internal layout.
- g) Rooflights amended with some removed over office accommodation.

Approved:

Northwest Elevation



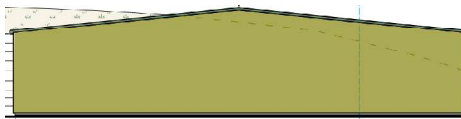
Southeast Elevation



Northeast Elevation



Southwest Elevation



Proposed:

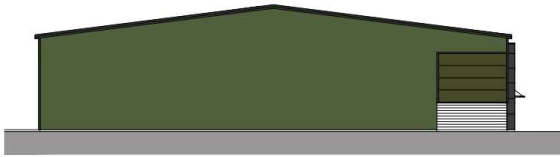
Northwest Elevation



Southeast Elevation



Northeast Elevation



Southwest Elevation



The predominate facing material to the main walls (i.e. front, sides and rear) maintains the previously approved finish in RAL 100-30-20 'Olive Green' as well as the lower walling masonry detailing to the northwest and part northeast elevation in artificial split face stonework (Forticrete Shearstone Premier Penstone - 140mm coursing with random bonding). Whilst a panelled banding in RAL 6007 bottle green has been introduced to the front elevation with vehicle doors shown in RAL 110 50 10 'Camouflage'. The roof is now proposed in RAL 7006 'Beige Grey' instead of RAL 080-50-20 'Svelte Grey', however, represents a similar brown-grey colour.

In addition, the ancillary office accommodation is proposed to be positioned more centrally within the building resulting in a repositioning of fenestration and introduction of a panelled entrance feature in RAL 7016 'Anthracite Grey'. Doors and windows containing grey tint glazing to the front elevation would also be finished to match. Whilst the entrance feature is shown as a modest projection in the side elevational plans this has not been reflected in the general arrangement, however, is viewed as a minor anomaly with the elevations taking precedence.

As before, the proposed use of profiled cladding with a matt finish would reduce reflection and glare whilst the number of roof lights have been reduced above the office accommodation. Together, with the combined use of two cladding colours, the amendments would service to assist in blending the proposed building into its sensitive, rural landscape context. In addition, the frontage, landscaped bunding would assist in minimising some of the impact of the increased glazing to the northwest 'front' elevation.

Accordingly, the proposed amendments seek to maintain a high quality development as consented and thereby safeguard the character and appearance of the immediate context and therefore the proposed changes are considered to be acceptable.

Overall, the proposed changes are not material in nature within the context of the overall development to comply with Adopted Local Plan Policies EQ2 'Landscape Character', EQ6 'Design and Place Making' and CF6 'Accessibility and Transport' in particular and the National Planning Policy Framework in these regards.

CONCLUSION

In summary, it is considered within the context of the original application, the proposed changes are not of a material nature and fall comfortably within the scope of a nonmaterial amendment application.

Accordingly, this Non-Material Amendment application is recommended for approval.

OFFICER RECOMMENDATION : Approve

Case Officer: Rachael Simpkin

Recommendation Date: 4th July 2025

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council