

**PLANNING
COMMITTEE**

12th July 2023

Planning Application 22/01325/FUL

New public entrance at ground floor level and localised landscaping works.

Town Hall, Walter Stranz Square, Redditch, Worcestershire, B98 8AH,

**Applicant: Mr Mike Taylor, Herefordshire and Worcestershire Health
and Care NHS Trust**

Ward: Abbey Ward

(see additional papers for site plan)

The case officer of this application is Sharron Williams, Planning Officer (DM), who can be contacted on Tel: 01527 534061 Ext 3372 Email: sharron.williams@bromsgroveandredditch.gov.uk for more information.

Procedural Matters

This matter is reported to Members because the scheme of delegation to planning officers requires that:

All planning decisions, actions or advice/responses on behalf of the Local Planning Authority cannot be dealt with under delegated powers (so must be reported to committee) where:

- The proposal involves the Borough or County Council either as applicant or landowner.

Background

Planning permission was granted in December 2022 to erect a new entrance to serve the NHS accommodation on the west wing of the Town Hall (See original report under APPENDIX A).

Members will have noticed that works for the NHS entrance have started on site with the basic steel framework for the entrance installed at the Town Hall. The most recent topographical survey undertaken by others have shown that the levels previously assumed no longer work with the original proposal. This Non-Material Amendment (NMA) application proposes the minor re-design of the building access and aims for planning approval from the local planning authority.

Non Material Amendment (NMA) procedure

Following the grant of a planning permission, it is sometimes necessary to seek approval for minor changes to proposals originally approved. This can be applied for under Section 96A of the Town and Country Planning Act 1990 in the form of a NMA application.

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When considering a NMA application, 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 will require having regard to the effect of the change, together with any previous changes made under Section 96A. There is no statutory definition of 'non-material' as 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.

Non-material amendments should not breach the conditions placed on the original consent, and the NMA decision will only relate to the non-material amendments sought. It is not a reissue of the original planning permission which will still stand.

As part of processing a NMA application, the local planning authority must take into account any representations made by anyone notified, provided they are received within 14 days of notification. Due to the minor nature of these types of applications they are normally delegated matters determined by officers.

The Amendments

This NMA application proposes the minor re-design of the entrance access. The entrance now requires the provision of the raised entrance level, the provision of steps, brick dwarf walls/railings and a platform lift.

Whilst the changes are minor in nature and would generally be determined under delegated powers, this application is to be considered at Committee as Redditch Borough Council are the landowners.

The Conservation Officer has been consulted on this NMA application as the building is viewed as a non-designated heritage asset. The Conservation Advisor has no objection to the revisions made to the scheme and considers the platform lift to be a better design to having a long ramp approach.

Officers consider that the amendments to the scheme are non-material and acceptable in this location having minimal impact on the streetscene. The revisions to the scheme do not have any impact on the Springs Eternal art sculpture, or the provision of tree planting approved as part of the original application.

RECOMMENDATION:

That permission be granted for the non-material amendments shown on External Works Detailed Plan Dwg. No. (90)002 Rev. C1, and External Works Plan Dwg. No. (90)001 Rev. C5.