

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
25/00688/ANM	Claire Ringwood	11 th August 2025

Address: Linkside, Sunny Brow Road, Middleton, Rochdale, M24 4BG

Proposal: Non-material amendment of planning permission 23/00331/FUL for changes to the external elevations including facade and fenestration

PUBLICITY	Weekly list expired?	N/A	Site notice expired?	N/A
	Neighbour letters expired?	N/A	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N/A	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N/A
	Neighbour comments received?	N/A

EIA	Screening opinion completed and saved to OnBase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION	GRANT
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CHECKED AND SIGNED OFF BY: TH

DATE: 13/08/2025

SITE

The application site is currently under construction but was previously occupied by a large, split-level dwellinghouse in a backland location off Sunny Brow Road. Access to the site is via a private driveway off Sunny Brow Road. The site is surrounded by residential properties to the east, south and west. To the north, the application shares a boundary with a Greenspace Corridor.

PROPOSAL

The application proposes a non-material amendment to planning permission 23/00331/FUL relating to Condition 2 (approved plans).

The proposed amendments include alterations to windows and doors, gables sizes, change from flat to mono-pitched roof of the single storey element at the rear of House Type A and brick detailing (same brick as on the main elevations). The proposal also removes House Type C (which related to 3 of the dwellings) which had a fourth bedroom in the roof space. This has been replaced with House Type B which has four bedrooms at first floor.

The amendments also included a pitched roof porches to replace the previously approved flat roof porches however, officers did not feel this was an appropriate amendment and the previously approved porch was retained. Some windows were also requested to be made larger. Justification has been provided by the agent to keep the Juliet balcony at the rear of House Type B as estate agents have said these would add value to the properties due to the views onto the golf course to the rear.

Approved Drawings under 23/00331/FUL

Drawing No: L196-02-A - House Type A date Sept 22
Drawing No: L196-03 - House Type B date Sept 22
Drawing No: L196-04 - House Type C date Sept 22
Received by the Local Planning Authority on 31st March 2023

Drawing No: L196-01-D - Site and Location Plans date Sept 2022
Received by the Local Planning Authority on 27th June 2023

PLANS AND DOCUMENTS SUBMITTED

The following plans were submitted on 7th July 2025:

Drawing No: 100 Rev A – House Type A – Ground and First Floor Plan
Drawing No: 101 Rev A – House Type A – Second Floor and Roof Plans
Drawing No: 102 – House Type B – Floor Plans
Drawing No: 203 – House Type A – Elevations (NMA)
Drawing No: 204 – House Type B – Elevations (NMA)

The following plans were submitted on 11th August 2025:

Drawing No: 203 Rev B – House Type A – Elevations (NMA)
Drawing No: 204 Rev B – House Type B – Elevations (NMA)
Drawing No: 003 – Proposed Site Plan

RELEVANT PLANNING POLICY

Legislation

Town and Country Planning Act 1990 – Part III Section 96A

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

RELEVANT SITE HISTORY

22/01321/FUL - Erection of 7 no. dwellings, associated access works, infrastructure and landscaping following demolition of the existing dwelling and buildings. Refused 22/02/2023.

23/00331/FUL - Erection of 7 no. dwellings, associated access works, infrastructure and landscaping following demolition of the existing dwelling and buildings on site - resubmission of 22/01321/FUL. Approved 01/08/2023.

24/01243/DOC - Discharge of condition 6 (Construction Method Statement) of planning permission 23/00331/FUL. Request completed 28/01/2025.

25/00107/ANM - Non-material amendment to planning permission 23/00331/FUL (conditions 2 and 11) to revise the approved Arboricultural plan to align with the approved Site Plan. Agree 13/03/2025.

25/00376/DOC - Discharge of conditions 3 (materials), 14 (boundary treatment) and 15 (surface water drainage scheme) of planning permission 23/00331/FUL. Request completed 21/07/2025.

CONSULTATION RESPONSES

N/A

REPRESENTATIONS

In line with the Council's code of publicity for this level of application, no letters of notification were issued.

ANALYSIS

Paragraph 002 to section 17a of the National Planning Practice Guidance (NPPG) states that:

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.

Therefore, the purpose of the application is to seek the Council's determination as to whether the changes to the previously approved details are sufficiently material in their nature and in the context of the approved development so as to require a fresh planning permission or not. Non-material amendment applications are not an application for planning permission, do not result in the issuing of a new planning permission and relate only to the amendments sought.

Paragraph 008 to section 17a of the NPPG states that in making decisions on non-material amendment applications, the local planning authority should take into account:

The effect of the change, together with any previous changes made under section 96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. As this is not an application for planning permission, section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply.

Paragraph 011 to section 17a of the NPPG states that the issuing of an approval for a non-material amendment application:

...only relates to the non-material amendments sought and the notice of the decision should describe these. It is not a reissue of the original planning permission, which still stands. The two documents should be read together.

Section 96A of the Town and Country Planning Act 1990 also allows for new conditions to be imposed, or existing conditions to be removed or altered in the issuing of a decision for a non-material amendment application.

Assessment of the non-material amendment

The amendments as detailed above are not considered to significantly alter the external appearance of the dwellings and the justification for the Juliet balconies are acceptable particularly as more important elements of the amendments such as the porches have been retained as originally approved. The amendments are therefore considered appropriate alternatives within the local context and are not considered to have a material impact on the character and appearance of the approved development. For this reason, officers are of the opinion that the amendments would not have any material effect on the planning permission originally granted.

RECOMMENDATION

GRANT subject to the following conditions:

1. This permission relates to the following plans and documents:

Drawing No: 100 Rev A – House Type A – Ground and First Floor Plan
Drawing No: 101 Rev A – House Type A – Second Floor and Roof Plans
Drawing No: 102 – House Type B – Floor Plans
Received on 7th July 2025

Drawing No: 203 Rev B – House Type A – Elevations (NMA)
Drawing No: 204 Rev B – House Type B – Elevations (NMA)
Drawing No: 003 – Proposed Site Plan
Received on 11th August 2025

and the development shall be carried out in accordance with the approved drawings unless otherwise required by the conditions below.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

Notes for Applicant:

INFORMATIVE:

This decision notice is to be read alongside that issued with planning permission 23/00331/FUL. All conditions that were imposed on the previous planning permission remain with the exception of those amended by the listed non-material amendments.

Report Author Claire Ringwood