

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO
25/01123/ANM

CASE OFFICER
Nick Brookman

DATE
24th November 2025

DETERMINATION DATE
2nd December 2025

Address: Land Adjacent to Rochdale Road at Hillbank Street And Church Avenue, Middleton, M24 2RB

Proposal: Application for non-material amendment to planning permission 25/00776/VRCON to vary Condition 2 (Approved Plans) comprising the removal of the proposed basements from plots 1-3

PUBLICITY	Weekly list expired?	Y	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	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 subject to conditions
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CHECKED AND SIGNED OFF BY: RG DATE: 27 November 2025

SITE

The application site comprises two parcels of land which are privately owned and formerly occupied as singular garage plots. The application site now benefits from full planning permission for 5 dwellings owing to the approval of application 24/00959/FUL.

The two plots are located approximately 4km to the north of Middleton Town Centre and 6.5km to the south of Rochdale Town Centre.

The surrounding area is virtually entirely residential with properties to the north, south and west. The east of the application site is currently open land which is presumed to be used for agricultural purposes although this land is now allocated to deliver a large mixed-use development through the recently adopted Places for Everyone Development Plan. The allocation refers to Policy JP Allocation 2 known as Stakehill and the 2 parcels of land were recently released from the Greenbelt under Places for Everyone.

Land to the east of the smaller parcel of land subject to this application was recently granted permission in principle under application 24/00969/PIP for the erection of up to 5 dwellings.

The application site is not located within a Conservation Area but it is in close proximity to the Church of St John in the east which is Grade II Listed.

The closest bus stop is located within a 2-minute walk which provides bus service through Rochdale to Manchester city centre. The closest railway station is Castleton which lies approximately 1.1km north of both plots.

There are a number of local amenities within ten-minute walk, including a local food store, a petrol garage, school, church and public house.

PROPOSAL

This Section 96A application seeks amendments as follows:

- ☐ Amendment to remove the proposed basements from plots 1-3.

No other amendments are sought.

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

25/00776/VRCON - Section 73 application to vary Condition 2 (Approved Plans) of planning permission 24/00959/FUL in order to make amendments to Plot 2 comprising an increase in the ground floor area – Approved subject to conditions 10th November 2025.

25/00878/DOC - Submission of details to comply with conditions 7 (Soft Landscaping), 9 (Drainage), 10 (CMP), 11 (Dilapidation Survey) and 12 (Investigation and Risk Assessment) on planning permission 24/00959/FUL – Pending Determination.

25/00574/DOC - Submission of details to comply with conditions 3 (material samples), 5 (boundary treatments), 6 (hard landscaping) and 13 (invasive species) on planning permission 24/00959/FUL – Approved 5th November 2025.

24/00959/FUL - Erection of 5 no. dwellinghouses with associated landscaping and car parking following the demolition of existing garages – Approved subject to conditions 6th May 2025.

PREAPP/00089/23 – Pre-application advice for the erection of 7 dwellings with associated parking and landscaping on two parcels of land.

CONSULTATION RESPONSES

Not applicable.

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:

'must have regard to 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 NMA

This application purely seeks to remove the proposed basements from the approved plans mentioned below:

- Plot 1 Proposed Elevations (Hillbank Street) Drawing No 2501-306
- Plot 1 Proposed Floor Plans (Hillbank Street) Drawing No 2501-305
- Plot 2 Proposed Elevations (Hillbank Street) Drawing No 2510-308A
- Plot 2 Proposed Floor Plans (Hillbank Street) Drawing No 2510-307A
- Plot 3 Proposed Elevations (Hillbank Street) Drawing No 2501-304A
- Plot 3 Proposed Floor Plans (Hillbank Street) Drawing No 2501-303A

There are no other changes proposed and the new drawings are mentioned below in the table below:

	As Approved	As Proposed
Plot 1 Elevations	Plot 1 Proposed Elevations (Hillbank Street) Drawing No 2501-306	Plot 1 Proposed Elevations (Hillbank Street) Drawing No 2501-806
Plot 1 Floor Plans	Plot 1 Proposed Floor Plans (Hillbank Street) Drawing No 2501-305	Plot 1 Proposed Floor Plans (Hillbank Street) Drawing No 2501-805
Plot 2 Elevations	Plot 2 Proposed Elevations (Hillbank Street) Drawing No 2510-308A	Plot 2 Proposed Elevations (Hillbank Street) Drawing No 2510-808
Plot 2 Floor Plans	Plot 2 Proposed Floor Plans (Hillbank Street) Drawing No 2510-307A	Plot 2 Proposed Floor Plans (Hillbank Street) Drawing No 2510-807
Plot 3 Elevations	Plot 3 Proposed Elevations (Hillbank Street) Drawing No 2501-304A	Plot 3 Proposed Elevations (Hillbank Street) Drawing No 2501-804
Plot 3 Floor Plans	Plot 3 Proposed Floor Plans (Hillbank Street) Drawing No 2501-303A	Plot 3 Proposed Floor Plans (Hillbank Street) Drawing No 2501-803

Overall, these changes are below ground and would not be viewed externally. The proposals therefore would not materially alter the development's impact and therefore it constitutes a non-material amendment to the original planning permission for the purposes of Section 96A of the Town and Country Planning Act 1990.

RECOMMENDATION

It is therefore considered and accepted that the amendments proposed can be treated as a non-material amendment.

Notes for Applicant:

Amended Condition

2. This approval relates to the plans and documents as listed below:

- ☐ Plot 1 Proposed Elevations (Hillbank Street) Drawing No 2501-806
- ☐ Plot 1 Proposed Floor Plans (Hillbank Street) Drawing No 2501-805
- ☐ Plot 2 Proposed Elevations (Hillbank Street) Drawing No 2510-808
- ☐ Plot 2 Proposed Floor Plans (Hillbank Street) Drawing No 2510-807
- ☐ Plot 3 Proposed Elevations (Hillbank Street) Drawing No 2501-804
- ☐ Plot 3 Proposed Floor Plans (Hillbank Street) Drawing No 2501-803

The development shall be carried out in complete accordance with the drawings/documents hereby approved.

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.

INFORMATIVE:

This decision notice is to be read alongside those issued with planning permission 25/00776/VRCON. All conditions that were imposed on the previous planning permission remain.