



FOR ASSISTANCE IN COMPLETING THIS FORM CONTACT

Economy and Environment
Planning Service
Number One Riverside
Smith St
Rochdale
OL16 1XU

Phone : 01706 924305

EMAIL : development.control@rochdale.gov.uk

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Application for a Non-Material Amendment Following a Grant of Planning Permission

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

Applicant Details

Name/Company

Title

Mr

First name

Jon

Surname

Walker

Company Name

J Walker Homes Ltd

Address

Address line 1

35 Joshua House

Address line 2

Joshua Lane

Address line 3

Town/City

Middleton

County

Country

Postcode

M24 2AY

Are you an agent acting on behalf of the applicant?

- ☒ Yes
☐ No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

Mr

First name

Richard

Surname

Fletcher

Company Name

Equilibrium Architects Ltd

Address

Address line 1

3 Manchester Road

Address line 2

Address line 3

Town/City

Bury

County

Country

United Kingdom

Postcode

BL9 0DR

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Eligibility

Does the applicant have an interest in the part of the land to which this amendment relates?

- ☒ Yes
- ☐ No

If the applicant is not the sole owner, has notification under Article 10 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) been given?

- ☐ Yes
- ☐ No
- ☒ Not applicable

Description of Your Proposal

Please provide the description of the approved development as shown on the decision letter

Residential development for the erection of 24 dwellings following demolition of existing outbuildings

Reference number

23/01162/FUL

Date of decision

27/09/2024

What was the original application type?

Full planning permission

For the purpose of calculating fees, which of the following best describes the original development type?

- ☐ **Householder development:** Development to an existing dwelling-house or development within its curtilage
- ☒ **Other:** Anything not covered by the above category

Non-Material Amendment(s) Sought

Please describe the non-material amendment(s) you are seeking to make

We wish to amend Condition No 3 to read as follows:

The dwellings hereby approved shall be retained for the provision of Affordable Housing (as defined in Annex 2 (Glossary) of the National Planning Policy Framework) save as set out in (A) or (B) below:

(A) This Condition 3 shall not apply to a dwelling if any one of the following events has occurred at any time in respect of the dwelling:

- a person has exercised the right to acquire pursuant to the Housing and Regeneration Act 2008 or any other statutory provision for the time being in force (including a preserved right to buy) or any equivalent contractual right in respect of a particular dwelling; or
- a person has exercised any statutory right to buy, purchase or acquire or any equivalent contractual right in respect of a particular dwelling including without limitation via a rent to buy arrangement

(B) This Condition 3 shall not be binding on a mortgagee or chargee (or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a Receiver)) of the whole or any part of the dwellings or any persons or bodies deriving title through such mortgagee or chargee or Receiver PROVIDED THAT:

- such mortgagee or chargee or Receiver shall first give written notice to the Council of its intention to dispose of the dwellings and shall have used reasonable endeavours over a period of three months from the date of the written notice to complete a disposal of the dwellings to a registered provider or to the Council for a consideration not less than the amount due and outstanding under the terms of the relevant security documentation including all accrued principal monies, interest and costs and expenses; and
- if such disposal has not completed within the three month period, the mortgagee, chargee or Receiver shall be entitled to dispose of the dwellings free from the provisions of this condition 3 which shall cease to apply to such dwellings and shall determine absolutely"

Please state why you wish to make this amendment

As requested by Housing Association relative to Homes England funding requirements.

Are you intending to substitute amended plans or drawings?

- ☐ Yes
☒ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☒ The agent
☐ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
☒ No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
- ☒ No

Declaration

I/We hereby apply for Non-Material Amendment as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Richard Shuttleworth

Date

02/09/2025

Amendments Summary

The following text added to Section - "Non Material Amendment Sought":

The dwellings hereby approved shall be retained for the provision of Affordable Housing (as defined in Annex 2 (Glossary) of the National Planning Policy Framework) save as set out in (A) or (B) below: