



KELLEN
HOMES

Rochdale Metropolitan Borough Council
Economy and Environment,
Planning Service,
Rochdale,
OL16 1XU

13th July, 2026

Submitted Via the Planning Portal Ref: PP-15075745

Dear Sir or Madam,

Re: Former Castleton Sidings, Heywood: Non-Material Amendment Application to Planning Permission Ref: 23/00431/HYBR

This non material amendment application has been prepared to amend the wording of planning condition no. 2 (Approved Plans) and condition no. 31 of the above planning consent this non-material amendment has been submitted under Section 96A of the Town and Country Planning Act via the Planning Portal under reference PP-15075745.

Planning consent (ref: 23/00431/HYBR) was granted on the 9th August, 2024 for the following development on the former Castleton Sidings site:

“Full application for residential development for 191 dwellings including access, landscaping, open space together with erection of sub-station and foul water pump station”

Condition 2 relates to the approved plans for the development the approved Boundary Treatments Plan is Revision C. Condition 31 states that: “The development shall be carried out in strict accordance with the approved Boundary Treatment Plan drawing reference A-300 Rev C. The approved boundary treatments shall be erected in accordance with the approved details and shall thereafter be retained.”

Kellen Homes are seeking to substitute the approved boundary treatment plan with ‘Boundary Treatment Plan KH003-A-300 Revision M’ in relation to both condition 2 and condition 31. The variations between revision C and revision M of the boundary treatments plan includes the removal of the 6m high golf ball netting between plots 20-44 and the installation of the golf ball netting on the northern boundary of plot 47-56 and along a section of the public open space area to the West. This netting covers a distance of 154.98m with two breaks in it to tie into adjacent public rights of way.

This S96A application comprises of the following documents:

- Boundary Treatments Plan-Rev M
- Boundary Treatments Composite Plan-Rev L

Section 96A of the Town and Country Planning Act allows local planning authorities in England to make a changes to any planning permission where they are satisfied that the change is not material. Whilst there is no definition of what constitutes as a non-material amendment as

stated in paragraph 002 (Reference ID: 17a-002-20140306) of the PPG, the PPG does recognise that a non material amendment should be considered in context of the overall scheme. Specific powers (at S.96A(3)) are also provided to remove or alter the wording of existing conditions.

It is therefore considered that the proposed amendment to the wording of conditions 2 and 31 are within the remit of S.96A(3)). The changes proposed to the boundary treatment plan still ensure that there is an appropriate levels of privacy, security, enclosure and visual amenity for future residents. Further to this, the repositioning of the golf ball netting away from the trees that are outside the application boundary further minimises the likelihood of bird entanglements.

I trust that the above information is sufficient to recommend approval of our non material amendment application, however should officers have any queries on our submission, please inform Kellen at your earliest convenience.

Kind Regards,

George Ruffley,

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