

Officer Report

Case Reference: OTH/2026/0550
Location: Land Off Fielding Street, Middleton, M24 6BG
Proposal: Application for non-material amendment to planning permission 21/01628/REM to alter the walkway between plots 30 and 31
Recommendation: Approve with Conditions
Officer: Sam Yuen

SITE

The application relates to a parcel of land measuring circa. 0.78 hectares to the north-west of Fielding Street which has been subject to a residential development of 43 dwellings (ref: 21/01628/REM).

PROPOSAL

Non-material amendment to planning permission 21/01628/REM is sought for the alteration of the walkway running between Plots 30 and 31. Submitted plans indicate changes made to the landscaping layout and the introduction of steps, black metal railings and two light bollards.

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

21/01628/REM - Submission of reserved matters pursuant to outline planning permission 15/00494/OUT relating to access, appearance, landscaping, layout and scale for the erection of 43 dwellings (re-submission 21/00059/REM) – Grant subject to conditions

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 plans 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.

The NPPG further adds 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.'*

The proposed amendments comprise the alterations to the layout of the walkway and include the addition of metal railing and light bollards. The additional works are of a lightweight and standard design specification common across different residential contexts in the Borough and is not considered to materially alter the character and appearance of the development or have a considerable impact on the visual amenity of the street scene.

On this basis, the effects of the proposed amendments to planning approval 21/01628/REM would not, either in isolation or combination, materially alter the development's impact in terms of its design or impact on the character and appearance of the surrounding area. The amendments would result in no greater material impact than the development as previously approved and, therefore, constitute a non-material amendment to the original planning permission for the purposes of Section 96A of the Town and Country Planning Act 1990.

Recommendation: Approve with Conditions

Condition(s) (1)

- 1 The development shall be carried out in accordance with the following drawings and documents hereby approved:

- • Proposed Site Plan – Drawing no. FS-01 Rev. F received 17/06/2026

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, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 1 This decision notice is to be read alongside that issued with planning permission 21/01628/REM and all conditions that were imposed on the previous planning permis: remain.