

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

14th August, 2026

Submitted Via the Planning Portal Ref: PP-15160791

Dear Sir or Madam,

Re: Former British Vita Works, Don Street: Non-Material Amendment to Planning Permission
Ref: 23/00070/VRCON

This non material amendment application has been prepared to amend the wording of condition 2 (approved plans). Specifically, this non material amendment seeks to change the approved layout, so that a public footpath can be accommodated along a revised alignment. A summary of the relevant planning history for this site has been provided below:

<u>Reference:</u>	<u>Description of Development</u>	<u>Approval Date:</u>
23/00070/VRCON	Section 73 application for minor material amendments to planning permission 21/00744/FUL relating to Conditions 2 (Approved Plans) and 13 (Lighting), comprising amended allotment and parking area, plot substitutions and associated boundary treatment changes	20/11/2023
24/00367/ANM	Non-material amendment to planning permission 23/00070/VRCON for change to house types to plots 211, 212, 215, 216, 228-231 (all)	07/6/2024
24/00968/ANM	Application for non-material amendment to planning permission 23/00070/VRCON to change brick type to plots on Phase 2	08/11/2024
25/00035/ANM	Non-material amendment to planning permission 23/00070/VRCON to change brick type to plots on Phase 2 (further amendment to 24/00968/ANM)	28/1/2025
25/00358/ANM	Non-material amendment to planning permission 23/00070/VRCON for the change of house types to plots 118-121, 133-136 and 178-180	30/4/2025

Under non material amendment ref: 25/00358/ANM the approved layout shows the footpath running parallel to plots 108-112 outside of the shared driveway. This alignment cannot be implemented due to the variation in levels between the shared drive and the proposed footpath.

Under the latest revision of the layout covered by this non material amendment, plots 108 and 109 have been changed from a 2 bedroom Hickory to a 3 bedroom Cedar. Plots 111-112 have been changed from a 3 bedroom Cedar to the 2 bedroom Hickory. No changes to the materiality of the house types is proposed, the locations of the Cedar and Hickory have simply been switched to allow the footpath to be delivered under a more suitable alignment.

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 to 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.

The layout for consideration under this non material amendment has simply switched the locations of 4 dwellings, there has been no change in bedroom number or no change in the materiality of the houses. Further to this, a 6m standoff between the footpath and the driveway to the hickory can be maintained.

To conclude, these amendments have been made to ensure that the footpath that runs parallel to plots 108-112 can be delivered in an alignment that is practical and buildable. The changes on this application are so minor that it should be treated as a non material amendment under S96A of the Town and Country Planning Act. Should officers require any additional information, please inform Kellen at your earliest convenience.

Kind Regards,

George Ruffley

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