



For assistance with completing this form contact:

The Planning Service
3 Knowsley Place, Duke Street, Bury BL9 0EJ

Phone: 0161 253 5432 **Email:** development.control@bury.gov.uk

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas 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	Windacre Works
Address Line 1	Mather Road
Address Line 2	
Address Line 3	
Town/city	Bury
Postcode	BL9 6RB

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

Easting (x)	Northing (y)
380910	413470

Description

Applicant Details

Name/Company

Title

MR

First name

CHRIS

Surname

BALFE

Company Name

Address

Address line 1

Windacre Works

Address line 2

Mather Road

Address line 3

Town/City

Bury

County

Country

Postcode

BL9 6RB

Are you an agent acting on behalf of the applicant?

- ☒ Yes
- ☐ No

Applicant Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

BL9 7BR

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of the Proposal

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

Variation of condition no. 12 of planning permission 66958 (final part of condition):-
existing wording "the approved works shall be implemented to the satisfaction of the Local Planning Authority before the development is first occupied."
Proposed wording :-"The approved works shall be implemented to the satisfaction of the Local Planning Authority before the occupation of the final (fourth) dwelling, or, in the event that the approved development as a whole is not completed by 31st January 2026, by that date (whichever is the sooner of those dates)"

Reference number

70252

Date of decision (date must be pre-application submission)

04/01/2024

Please state the condition number(s) to which this application relates

Condition number(s)

12

Has the development already started?

☒ Yes

☐ No

If Yes, please state when the development was started (date must be pre-application submission)

05/02/2021

Has the development been completed?

☐ Yes

☒ No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

The application proposes to amend the wording of Condition 12 to remove the requirement for the approved off-site highway improvement works to be completed by 31 January 2026, whilst retaining the requirement that those works are implemented to the satisfaction of the Local Planning Authority prior to the occupation of the final (fourth) dwelling. No changes are proposed to the previously approved details of the highway works or to the approved development itself; the application simply seeks flexibility in the timing of the works so they are completed at the end of the construction process to avoid damage from ongoing construction traffic and utility connections.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Notwithstanding the details indicated on approved plan reference CB6-02/C, a programme of works with details of the following (to be agreed on site where appropriate) shall be submitted to and agreed in writing by the Local Planning Authority:

- Existing conditions survey of the carriageway abutting the site in the event that subsequent remedial works are required following construction of the development;
- Formation of the proposed site access onto Mather Road/Public Right of Way
- No. 20, Bury;
- Construction of the new footway, build-outs, bollards and boundary walls adjacent to Mather Road/Public Right of Way No. 20, Bury, incorporating all necessary accommodation works required to tie into existing footways and carriageways;
- Provision of all drainage remedial works on Mather Road, including an ACO drain to an appropriate specification for use in the carriageway;
- Provision of visibility splays in accordance with the standards in Manual for Streets at the back edge of the footway and at the junctions of the proposed site accesses with Mather Road, with no obstructions above the height of 0.6m within them, including all necessary alterations to the boundary wall details submitted;
- Foundation details for all boundary walls;
- A scheme for improvement of the surface of Mather Road between the existing limits of adoption to the south of No. 101 Mather Road to the northerly site boundary.

The approved works shall be implemented to the satisfaction of the Local Planning Authority before the occupation of the final (fourth) dwelling.

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

Pre application Advice

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

☐ Yes

☒ No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

☒ Yes

☐ No

Is any of the land to which the application relates part of an Agricultural Holding?

☐ Yes

☒ No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

☐ The Applicant

☒ The Agent

Title

MR

First Name

RICHARD

Surname

GEE

Declaration Date

12/03/2026

☒ Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition 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 Gee

Date

12/03/2026

Amendments Summary

In response to the following in the LPA's invalid letter:

"Please provide a clear description of the proposal, we are unable to state please refer to covering letter as this needs to be visable for the consultees."