



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

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

Land off Victoria Avenue, Whitefield,
Manchester, M45 6DP

Applicant Details

Name/Company

Title

Mr

First name

Mark

Surname

Quinn

Company Name

John Southworth

Address

Address line 1

10 Charles Street

Address line 2

Dukinfield

Address line 3

Town/City

Stockport

County

Country

Postcode

SK16 4SD

Are you an agent acting on behalf of the applicant?

- ☒ Yes
- ☐ No

Contact Details

Primary number

Secondary number

Fax number

Email address

***** REDACTED *****

Agent Details

Name/Company

Title

Mr

First name

Phillip

Surname

Orr

Company Name

Paddock Johnson

Address

Address line 1

Studio 2, The Lyceum

Address line 2

Bath Street

Address line 3

Bath Street

Town/City

Port Sunlight

County

Country

United Kingdom

Postcode

CH62 4UJ

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

Redevelopment and change of use of the site to provide 30 new residential dwellings along with associated works including landscaping and provision of access from Victoria Avenue, including highway works to Victoria Avenue.

Reference number

68691

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

12/01/2023

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

Condition number(s)

15 and 22

Has the development already started?

☒ Yes

☐ No

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

28/08/2023

Has the development been completed?

☐ Yes

☒ No

Condition(s) - Variation/Removal

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

Condition 15

We would like the approval to read that the project should be carried out in accordance with 31990-SUT-ZZ-XX-DR-C-6200-P07 rather than P02.

This was because it was not possible to construct the drainage through the offsite shared driveway adjacent to our site due to existing MH constructions and services within that driveway.

A viability report was presented to the planners who referred us to the LLFA.

The LLFA visited site and agreed that it was unfeasible to construct the proposed drainage as originally requested by United Utilities.

United Utilities agreed with the LLFA statement and allowed a connection to the combined sewer within the site.

Condition 22

We need the condition to read in accordance with the revised Affordable Housing Statement which is summarised as 14 Shared Ownership Units and 16 Affordable Rent.

This is because as part of the acquisition from Bury Council, our client agreed to provide 16x affordable rent and 14x shared ownership.

Somewhere along the way, this flipped to 14x AR and 16x SO and this was included in the D&A and in the affordable housing statement.

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

Condition 15

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Condition 22

We need the condition to read in accordance with the revised Affordable Housing Statement which is summarised as 14 Shared Ownership Units and 16 Affordable Rent.

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

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

Phillip

Surname

Orr

Declaration Date

31/05/2024

☒ 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

Paddock Johnson

Date

10/06/2024

Amendments Summary

We have revised the page regarding the reasons for making the application as per Bury's invalidation letter.