



PLANNING AND DEVELOPMENT

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Mr Alan Davies,
Northern Design (Oldham),
17 Station Lane,
Grotton,
Oldham,
OL4 5QY,
United Kingdom

Dear Mr Davies,

DETERMINATION ON APPROVAL OF DETAILS REQUIRED BY A CONDITION

Application No:	25/00682/DOC
Application Type:	Approval of detail reserved by condition
Proposal:	Submission of details to comply with conditions 3 (Refuse Storage) 4 (Parking) 5 (Materials) and 6 (Boundary Treatments) of planning permission 21/00975/FUL
Location:	83-87 Fielding Street, Middleton, M24 6BG, ,

Your application for approval of details reserved by condition(s) has been dealt with and the details are set out below:-

Conditions and Reasons:

- 3 No part of the development hereby approved shall be occupied until such time as full detail of the construction and design of a refuse/recycling bin store has been submitted to and approved in writing by the Local Planning Authority. No part of the building shall be occupied until such time as the duly approved facility has been constructed and made available for use; the bin store shall be retained as constructed for its intended use thereafter.

Reason: To ensure the provision of satisfactory and secure facilities for storage of refuse and in the interests of visual amenity in accordance with policy P3 of the Rochdale Unitary Development Plan and the National Planning Policy Framework

Officer Response:

The condition is not discharged. The condition wording sets out that the details of the bin store were required to be provided prior to the occupation of the development, and therefore the submitted details are unable to be accepted. Therefore, the condition cannot be discharged at this stage and a subsequent Section 73 application to vary the condition wording to reflect the current situation is required.

- 4 No part of the development shall be occupied until such time as the car parking, servicing and vehicular access arrangements, as shown on approved plan ref. 2123-05/B - Proposed Site Plan, have been made fully available for use; the arrangements shall be retained thereafter for their intended purpose.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Officer Response:

Condition 4 is a compliance condition and does not require the submission of details for approval. Notwithstanding, it is noted that the submitted site plan (drawing no. DOC05 revision D) would be in breach of condition 4 as there is a reduction in the number of car parking spaces.

- 5 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Officer Response:

The condition is not discharged. The condition wording sets out that the details of the materials were required to be provided prior to above ground construction works taking place on the site, and therefore the submitted details are unable to be accepted. Therefore, the condition cannot be discharged at this stage and a subsequent Section 73 application to vary the condition wording to reflect the current situation is required.

- 6 No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Officer Response:

The condition is not discharged. The condition wording sets out that the details of the materials to be used in the construction of boundaries, screens or retaining walls were required to be provided prior to the occupation of the development, and therefore the submitted details are unable to be accepted. Therefore, the condition cannot be discharged at this stage and a subsequent Section 73 application to vary the condition wording to reflect the current situation is required.

Other Issues:

The submitted site plan differs from the approved site plan in several ways, including alterations to the proposed boundary treatments, a reduction in the number of parking spaces and a reduction in the areas of soft landscaping. These changes would be in breach of condition 2 and would require a Section 73 application to vary the site plan approved under condition 2. Under such an application, it should be demonstrated that any changes made to the approved plans are acceptable.

The Council reserves the right to take enforcement action.

Yours faithfully,

Melanie Hale
Head of Planning Services