



**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**Full Planning Application**

APPLICATION REFERENCE: 24/01204/FUL

<b>Applicant</b> Mr Luke Kelly 7 Nutbank lane Middleton Manchester Manchester M9 6BH	<b>Agent</b> Mr Vinnie Kelly (Lubek Developments) 7 Nutbank Lane Middleton Manchester M9 6BH
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Part I - Particulars of Application

**Proposal:** Erection of 1 No. one bedroomed bungalow with associated parking and landscaping

**Location:** Land Adjacent To Substation, Alkington Hall Road North, Middleton Manchester M24 1SZ

**Valid On:** 9 December 2025

**DECISION: GRANT PLANNING PERMISSION SUBJECT TO THE FOLLOWING CONDITIONS:**

**Condition(s) (13)**

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 This permission relates to the following plans and documents:

- Location Plan, Existing Site Plan and Street Scene Elevation Drawing No 975-01A Dated 20.05.2025
- Proposed Block, Site and Landscaping Plan Drawing No 975-02B Dated 20.05.2025
- Proposed Elevations Drawing No 975-05 Dated 20.05.2025

- Proposed Floor Plans Drawing No 965-03A Dated 20.05.2025
- Proposed Roof Plan Drawing No 975-04 Dated 20.05.2025
- Design and Access Statement Referenced 975-07
- Materials Schedule Referenced 975-06
- Preliminary Ecological Appraisal Dated September 2025
- Site Tree Appraisal Referenced RTS/29102925 Dated 29<sup>th</sup> October 2025
- Coal Mining Risk Assessment Report No: A250307-R01 Dated June 2025

and the development shall be carried out in accordance with these details hereby approved unless otherwise required by the conditions below.

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 and the National Planning Policy Framework.

- 3 No development shall take place until a Phase I Report (Preliminary Risk Assessment) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the actual and/or potential contamination risks at the site and the assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons.

The submitted report shall include:

- i. a survey of the extent, scale and nature of contamination
- ii. an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,

- archaeological sites and ancient monuments;

iii. where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall be carried out in accordance with the approved remediation strategy thereafter.

No part of the development shall be occupied until a verification report demonstrating that the approved remediation has been implemented has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

- 4 No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Where the findings of the intrusive site investigations (required by the condition above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Prior to the first occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining

legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for Pre-Commencement Condition: Coal Mining Legacy investigation and any required mitigation measures will require investigation before the significant disturbance to ground and removal of material.

5 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

- 6 Prior to the commencement of development, a highway dilapidation survey of the access road fronting the application site shall be undertaken and be submitted in writing to the Local Planning Authority. For the avoidance of doubt, this should include photographs and commentary on the condition of the access road.

Reason: In the interests of highway safety and to ensure the functionality of the highway network in accordance with the Core Strategy Policy T2 and the National Planning Policy Framework.

Reason for pre-commencement condition: The condition of the access road needs to be surveyed prior to the commencement of development to ascertain whether repair works are necessary post development.

- 7 Prior to the commencement of any development, site clearance, or earth moving no material or machinery shall be brought on site until a method statement to protect Alkrington Woods from accidental spillages, runoff, dust and debris has been supplied to and agreed by the Local Planning Authority.

All measures must be implemented and maintained for the duration of the construction period in accordance with the approved details.

Reason: In order to prevent any habitat disturbance to the Local Nature Reserve and Site of Biological Importance in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of PfE and the National Planning Policy Framework.

Reason for pre-commencement condition: A method statement needs to be agreed and implemented prior to commencement of any development or site clearance to protect the Local Nature Reserve and Site of Biological Importance.

- 8 Notwithstanding any details submitted as part of the application, no part of the development shall be occupied until full details of the type, design and materials to be used in the construction of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. Any structures shall be installed in accordance with the approved details prior to the first occupation of the approved development and retained thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 9 No site clearance or development shall occur between the 1<sup>st</sup> March and 31<sup>st</sup> August in any year unless a precautionary working method statement for nesting birds by a suitably experienced ecologist has been supplied to and agreed in writing by the Local Planning Authority.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of PfE and the National Planning Policy Framework.

- 10 The proposed development shall be carried out in full accordance with the recommended works contained within Arboricultural Method Statement incorporated into Section 5 of the Tree Appraisal Referenced RTS/29102925 and dated 29<sup>th</sup> October 2025.

All the recommended tree works should be of a standard that is in accordance with BS 3998:2010 Tree Work-Recommendations.

Reason: To safeguard the trees and vegetation to be retained.

- 11 No part of the development hereby permitted shall be occupied until full details and specifications of a renewable energy or energy saving scheme (consisting of but not limited to) solar photo-voltaic panels including large scale drawings at a scale of not less than 1:50 and / or air source heat pumps including details of their siting and appearance, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of achieving the objectives of PfE Policy JP-S2 and CS Policies G1 and G2 and in the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policies JP-S2 and JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the dwelling hereby approved shall not be altered or extended, and no buildings or structure shall be erected within it's curtilage under Schedule 2, Part 1 Class A, AA, B, D, E, F of the above Order.

Reason: To prevent undue harm to the amenity of existing and future occupiers and in the interest of visual amenity and in accordance with Policies P3 and DM1 adopted Rochdale Core Strategy and Policy JP-P1 of

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

- 13 No development shall take place until finished floor and external ground levels across the site relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and retained as such thereafter.

Reason: In the interest of ensuring a satisfactory appearance and in the interest of amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: An understanding of proposed levels in relation to existing levels is required prior to commencement of any relevant engineering operations on site.

### Approval Reason(s) (1)

- 14 The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Date of Decision: 05/02/2026

Melanie Hale  
Head of Planning

### IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

### INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

### Your attention is drawn to the following (2)

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| 15 | Whilst the works have been assessed as having negligible risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat and the signs of bats is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed. We would suggest an informative to this effect be placed on any permission. |
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16	<p><b>BIODIVERSITY NET GAIN</b></p> <p>The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:</p> <p>a) A Biodiversity Gain Plan has been submitted to the planning authority,</p> <p>and;</p> <p>b) The planning authority has approved the plan.</p> <p>The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Rochdale Council.</p> <p>Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.</p> <p>The proposed development is a Self and Custom Build Development, meaning development which:</p> <p>(i) Consists of no more than 9 dwellings;</p> <p>(ii) Is carried out on a site which has an area no larger than 0.5 hectares;</p> <p>and;</p> <p>(iii) Consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).</p>

## Notes

- 1 The decision is for planning purposes only and for no other. It does not grant approval under any other regulatory regime, including the building regulations. Separate approvals may be required.

- 2 This permission does not give any legal right to carry out the development on, over or under land owned by or contrary to the rights of another person. You are advised to seek independent legal advice Your attention is also drawn to the Party Wall Act.
- 3 If you are unhappy with the decision to grant permission subject to conditions you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. Details of how to appeal can be obtained from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or via their website at <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>.
- 4 If permission to develop land is granted subject to conditions, whether by the Council or by the Secretary of State and you, as owner of the land, claim that it has become incapable of reasonable beneficial use, you may serve a Purchase Notice on the Council requiring the Council to purchase your interest in accordance with the provision of Part IV of the Town and Country Planning Act 1990.
- 5 Some conditions attached to a grant of permission may require you to submit details and/or information before you start work. Please note that we aim to deal with these requests within 8 weeks. There is a fee for 'approval of details reserved by a condition'. These fees are set by Government and the current level can be found at: <https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1>.