

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**Removal/Variation of Conditions**

APPLICATION REFERENCE: 25/00890/VRCON

Applicant Mr Alan Reid Environment Agency Richard Fairclough House Knutsford Road Warrington WA4 1HT	Agent Alistair Hoyle Axis Well House Barns Bretton Chester CH4 0DH
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Proposal: Retrospective application to vary condition 2 of planning permission 20/00082/FUL in relation to changes to the original scheme at the following locations: Riverstone Bridge, Charles Street Bridge, Todmorden Road

Location: Various Locations Within Littleborough Namely Riverstone Bridge, Charles Street, Peel Street, Railway Street, GNG Foam Converters, Town House Brook, Carriage Drive, Todmorden Road, Lightowlers Lane And Land At Gale.

Valid On: 27 August 2025

DECISION: GRANT PERMISSION SUBJECT TO THE FOLLOWING CONDITIONS**Condition(s) (20)**

1 This permission relates to the following plans:-

Plans approved under 20/00082/FUL:

- Statutory Plan 1 of 4 IMNW000100-JAC-ZZ-4B0-DR-PL-0001 Rev C05
- Statutory Plan 2 of 4 IMNW000100-JAC-ZZ-4B0-DR-PL-0002 Rev C04
- Statutory Plan 3 of 4 IMNW000100-JAC-ZZ-4B0-DR-PL-0003 Rev C05
- Statutory Plan 4 of 4 IMNW000100-JAC-ZZ-4B0-DR-PL-0004 Rev C04
- Scheme Overview IMNW000100-JAC-ZZ-4B0-DR-PL-0005 Rev C06
- General Arrangement - Engineering - Sheet 1 of 4 IMNW000100-JAC-ZZ-4B0-DR-PL-0006 Rev C05

- General Arrangement - Engineering - Sheet 2 of 4 IMNW000100-JAC-ZZ-4B0-DR-PL-0007 Rev C07
- General Arrangement - Landscape - Sheet 1 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0012 Rev C04
- Engineering Details - Sheet 4 of 5 IMNW000100-JAC-ZZ-4B0-DR-PL-0023 Rev C05
- Engineering Sections - Sheet 5 of 5 IMNW000100-JAC-ZZ-4B0-DR-PL-0024 Rev C05
- Contractor site access, compounds and HGV routing IMNW000100-JAC-ZZ-4B0-DR-PL-0032 Rev C04
- PRoW Temporary diversions Sheet 1 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0033 Rev C04
- PRoW Temporary diversions Sheet 2 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0034 Rev C04
- PRoW Temporary diversions Sheet 3 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0035 Rev C04
- Landscape details sheet 1 of 2 IMNW000100-JAC-ZZ-4B0-DR-PL-0037 Rev C05
- Landscape details sheet 2 of 2 IMNW000100-JAC-ZZ-4B0-DR-PL-0038 Rev C06
- Tree removals, retention and protection plan - Gale - Network Rail Culvert Access IMNW000100-JAC-ZZ-4B0-DR-PL-0040 Rev C04
- Tree removals, retention and protection plan - Todmorden Road & Carriage Drive IMNW000100-JAC-ZZ-4B0-DR-PL-0043 Rev C04
- Tree removals, retention and protection plan - Riverstone Bridge IMNW000100-JAC-ZZ-4B0-DR-PL-0044 Rev C04
- Existing levels, trees & features - Sheet 1 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0048 Rev C03
- Existing levels, trees & features - Sheet 2 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0050 Rev C03
- Existing levels, trees & features - Sheet 3 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0051 Rev C03

- Structures to be demolished - Sheet 1 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0057 Rev C03
- Structures to be demolished - Sheet 2 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0058 Rev C03
- Structures to be demolished - Sheet 3 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0059 Rev C02
- Indicative culvert access route and bridging details - Gale West Details IMNW000100-JAC-ZZ-4B0-DR-PL-0066 Rev C02

Approved amended and additional plans:

- General Arrangement - Engineering - Sheet 3 of 4 IMNW000100-JAC-ZZ-4B0-DR-PL-0009 Rev C06
- General Arrangement - Engineering - Sheet 4 of 4 IMNW000100-JAC-ZZ-4B0-DR-PL-0010 Rev C07
- General Arrangement - Landscape - Sheet 2 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0014 Rev C06
- General Arrangement - Landscape - Sheet 3 of 3 IMNW000100-JAC-ZZ-4B0-DR-PL-0015 Rev C07
- Engineering Details - Sheet 1 of 5 IMNW000100-JAC-ZZ-4B0-DR-PL-0020 Rev C05
- Engineering Details - Sheet 2 of 5 IMNW000100-JAC-ZZ-4B0-DR-PL-0021 Rev C05
- Engineering Sections - Sheet 3 of 5 IMNW000100-JAC-ZZ-4B0-DR-PL-0022 Rev C06
- Planting Proposals - Riverstone Bridge IMNW000100-JAC-ZZ-4B0-DR-PL-0027 Rev C04
- Indicative elevations - Riverstone Bridge IMNW000100-JAC-ZZ-4B0-DR-PL-0056 Rev C03
- Engineering Sections Sheet 6 of 6 Riverstone Bridge IMNW000100-JAC-ZZ-4B0-DR-PL-0026 Rev P01
- S73a Figure 1 Scheme Location IMNW000100-JAC-ZZ-4B0-DR-PL-7308 Rev P01

- S73a Figure 2: Changes to Todmorden Rd and Foam Convert
IMNW000100-JAC-ZZ-4B0-DR-PL-7309 Rev P01

- S73a Figure 3: Changes to Riverstone Bridge, Charles Street and Peel
Street IMNW000100-JAC-ZZ-4B0-DR-PL-7310 Rev P01

and the development shall be carried out in complete accordance with these drawings hereby approved.

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.

- 2 Notwithstanding any description of materials in the application, the development shall be carried out in accordance with the details of external materials set out in the letter dated 24/11/2021, received and approved under discharge of conditions application ref 21/01674/DOC.

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.

- 3 The development shall be undertaken in accordance with the archaeological Written Scheme of Investigation submitted to and approved under discharge of condition application ref 21/00321/DOC.

The programme of fieldwork shall be undertaken by a suitably qualified archaeological contractor, funded by the applicant. GMAAS would monitor the implementation of the programme.

Reason: To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible in accordance with the requirements of Core Strategy Policy P2 and the National Planning Policy Framework

- 4 The approved Construction Management Statement Rev C and supplementary details received via email on 29/04/2021, all submitted and approved under discharge of conditions application ref 21/00212/DOC shall be adhered to throughout the construction period.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, T2, G8 and G9 of the

adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 The Construction Traffic Management Plan Rev C, submitted and approved under discharge of condition application ref 21/00212/DOC, shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CTPM during the construction period.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, T2, G8 and G9 of the adopted Rochdale Core Strategy and the National Planning

- 6 The approved Construction Environmental Management Plan Rev D submitted and approved under discharge of condition application ref 21/00212/DOC shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CEMP during the construction period.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment during the construction phase in accordance with Policies DM1, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 7 The embedded mitigation and good working practices to minimise the effects on otters and fish during the construction phase of the scheme shall be implemented in full accordance with the details set out in the submitted 'ES Chapter 9 - Biodiversity' referenced 'IMNW000100-JAC-ZZ-4B0-RP-EN-0035 | C04 A4' dated January 2020.

Reason: In order to prevent any habitat disturbance to otters and fish in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 8 No clearance of trees and shrubs in preparation for (or during the course of) development within each development area shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority

which provides for the protection of nesting birds during the period of works on site.

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

- 9 Development shall be carried out in accordance with the approved CEMP - Appendix I - VolkerStevin RAMS Example Removal of Himalayan Balsam & Japanese Knotweed submitted and approved under discharge of condition application ref 21/00212/DOC

Reason: To ensure the satisfactory treatment and disposal of invasive plant species which, under the terms of the Wildlife & Countryside Act 1981 (as amended) it is an offence to be caused to be spread in the wild, in accordance with the objectives of Core Strategy policy G7.

- 10 The bat and bird boxes detailed in the drawing IMNW000100-JAC-00-4B0-DR-EN-0014 - Bat Box and Bird Box Location Plan, Sheets 1 to 4 of 4, as submitted and approved under discharge of condition application ref 21/00146/DOC shall be permanently retained.

Reason: In order to ensure biodiversity enhancements as part of the development in accordance with the requirements of policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 11 The development shall be implemented in strict accordance with the approved tree protection details set out on:

- INMW000100-JAC-ZZ-4B0-DR-PL-0040 Tree Removals, Retention and Protection Plan Sheet 1 of 3 Gale

- INMW000100-JAC-ZZ-4B0-DR-PL-0043 Tree Removals, Retention and Protection Plan Sheet 2 of 3 Todmorden Road

- INMW000100-JAC-ZZ-4B0-DR-PL-0044 Tree Removals, Retention and Protection Plan Sheet 3 of 3 Riverstone Bridge

as well as the document titled DOC 12 – Arboricultural Method Statement, all as submitted and approved under discharge of condition application ref 21/00192/DOC

Reason: In order to protect existing trees on the site and ensure a satisfactory appearance in the interests of visual amenity in accordance with

policies G6 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 12 Except as approved by condition 1 of this decision, the development shall be undertaken in accordance with the hard and soft landscaping details set out on:

- IMNW000100-JAC-ZZ-4C0-DR-PL-1001
- IMNW000100-JAC-ZZ-4F0-DR-PL-1001
- IMNW000100-JAC-ZZ-4F0-DR-PL-1002
- IMNW000100-JAC-ZZ-4F0-DR-PL-1003
- IMNW000100-JAC-ZZ-4F0-DR-PL-1004
- IMNW000100-JAC-ZZ-4F0-DR-PL-1005
- IMNW000100-JAC-ZZ-4F1-DR-PL-1001
- IMNW000100-JAC-ZZ-4F2-DR-PL-1001
- IMNW000100-JAC-ZZ-4G2a-DR-PL-1001
- IMNW000100-JAC-ZZ-4G3-DR-PL-1001
- Email - received by the Council 12.04.2021
- Email - received by the Council 16.04.2021;

All as submitted and approved under discharge of condition application ref 21/00192/DOC

The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following the development hereby permitted being brought into use, whichever is the sooner.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in

accordance with policies P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 13 The approved development shall be fully implemented and subsequently maintained in accordance with the construction programme titled Littleborough Phase 1A Integrated Programme of Works, submitted and approved under discharge of conditions application ref 21/00213/DOC.

Reason: The FRA has identified that there will be short term impacts in risk to areas downstream of Littleborough. This comes as a result of a phased approach to the delivery of the overall flood risk management scheme and in accordance with Core Strategy Policy G9, saved UDP Policy EM/8, and the National Planning Policy Framework.

- 14 The development be carried out in accordance with the design details relating to the Greenvale Brook culvert as set out in the following drawings and document:

IMNW000100-JAC-IR-4C0-DR-PL-0001

IMNW000100-JAC-IR-4C0-DR-PL-0002, Landscaping PLAN

IMNW000100-JAC-ZZ-4C0-DR-PL-1001 Rev CO2,

10040916-ARC-00-XX-DR-CE-00002 Proposed General Arrangement Elevation,

10040916-ARC-00-XX-DR-CE-00003 Proposed General Arrangement Sections

IMNW000100-JAC-ZZ-4B0-TN-EN-0001 Low Flow Technical Note.

All as submitted and approved under discharge of condition application ref 21/00754/DOC

Reason: To ensure that the Green Vale Brook culvert is passable for the resident brown trout and protected riparian mammals that live in the river catchment, support a natural bed substrate and sediment conveyance in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 15 The development shall be undertaken in accordance with the design details for the Greenvale Brook realignment as shown in drawings IMNW000100-JAC-IR-4C0-DR-PL-0001 and IMNW000100-JAC-IR-4C0-DR-PL-0002, and Landscaping PLAN IMNW000100-JAC-ZZ-4C0-DR-PL-1001 Rev CO2, as

submitted and approved under discharge of condition application ref 21/00669/DOC.

Reason: To ensure development contributes to the objectives of the North West River Basin Management Plan and overall enhancement of Green Vale Brook in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 16 The development shall be undertaken in accordance with the site specific method statement in respects of controlling noise and vibration set out in the following documents, submitted and approved under discharge of conditions application ref 21/00212/DOC:

- CEMP Appendix G - Environmental RA Associated with Piling

- C13583_Littleborough Phase 1A_CMS_ Rev C Final

Reason: In order to safeguard the amenities of the area and to prevent nuisance arising in accordance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 17 No external lighting or CCTV shall be installed on the buildings or elsewhere on the site unless a scheme for such lighting and CCTV equipment has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and retained as such thereafter.

Reason. In the interest of visual amenities and to prevent nuisance arising in accordance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 18 Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.

Reason: To secure the satisfactory development of the site in terms of human health and the wider environment and in accordance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 19 The embedded mitigation practices to minimise the effects on air quality during the construction phase of the Scheme shall be implemented in full accordance with the details set out in the submitted 'ES Chapter 14 - Air Quality, paragraph 14.8' referenced 'IMNW000100-JAC-ZZ-4B0-RP-EN-0031 | C04 A4' dated 23 January 2020.

Reason: In order to prevent any significant harm to air quality during construction in accordance with policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

- 20 The development shall be undertaken in accordance with the submitted scheme for the storage and proposed re-use of the stone gate piers, remnant stone wall and stone bridge as set out on drawing IMNW000100-JAC-ZZ-4C0-DR-PL-1020 Rev C03, as submitted and approval under discharge of condition application ref 21/00147/DOC.

Reason: In order to protect special historic features and to make good use of these features in accordance with Policies DM1 and P2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Date of Decision: 12/02/2026

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 (4)	
1	The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can

	often be present and problems can occur in the future, particularly as a result of development taking place. It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action. Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider. If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/coalauthority
2	The applicant is advised that any closure of the Canal Towpath would require the Canal and River Trust's Prior Approval. The applicant is therefore advised to contact The Trust's Working Engineering Team on 0303 040 4040 if not already done so. Works affecting the Trust's Land Ownership may also need to comply with the Trust's Code of Practice for works affecting the Canal & River Trust, details of which can be found here; https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice

3	This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within 8m of the bank of the River Roch and Town House Brook which, are designated 'main river'. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: https://www.gov.uk/guidance/flood-risk-activities-environmental-permits.
4	The changes to the Public Right of Way network will not commence unless accompanied by a temporary/permanent diversion/closure order notice from the Local Authority. Any proposed diverted Public Right of Way route shall be open and available for use by the public prior to the closure of an existing right of way. Should any right of way be used by a motorised vehicle it shall be by permission from the landowner and with an agreement to reinstate the surface to a standard agreeable to the Council's Rights of Way Officer following completion of the work. All path furniture shall be reinstated following completion of the works.