

APPLICATION NUMBER: 24/00291/VRCON

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER
24/00291/VRCON	Aimee Bovaird

DETERMINATION DATE	17.05.2024	EXT OF TIME	05.02.2025
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Address: Kirkway Service Station, Kirkway, Middleton M24 1LW

Proposal: Section 73 application to vary condition 2 of planning permission 22/00278/FUL (Demolition of existing buildings and erection of 2no pairs of semi-detached dwellings and 1no detached with associated access) to move plots 1 and 2 forward by 3m towards Kirkway (Drawing No. 2142/02/C)

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	GRANT subject to conditions
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SITE

This site relates to a residential development that is under construction, following the grant of planning permission 22/00278/FUL. To the north is the Kirkway Precinct, which together with the application site, falls within the designated Kirkway Local Centre, as set out under saved UDP Policies G/S/1 and S6. South of the site lies 1a Hardfield Road, a single storey former doctors surgery which has been converted to a dwelling, East of the site is a lightly wooded area.

PROPOSAL

The application seeks to vary condition 2 of planning permission 22/00278/FUL. This would amend approved drawings to move plots 1 and 2 forward by 3m toward Kirkway.

RELEVANT PLANNING POLICY**National Guidance**

National Planning Policy Framework (NPPF) December 2024

National Planning Practice Guidance (NPPG)

Sub-Regional**Places for Everyone Joint Development Plan (PfE)**

JP- H1 Scale, Distribution and Phasing of New Housing Development

JP-H3: Type, Size and Design of New Housing

JP-P1 Sustainable Places

Adopted Rochdale Core Strategy (CS):

SO2 – To create successful and healthy communities

C1- Delivering the right amount of housing in the right places

C3- Delivering the right type of housing

SO3- To improve design, image and quality of place

P3- Improving design of new development

SO5- To improve accessibility and deliver sustainable transport

T2- Improving accessibility

DM1- General development requirements

Unitary Development Plan (UDP):

G/D/1 – Defined Urban Area

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

22/01288/DOC - Submission of details to comply with conditions 3 (pre-commencement contamination), 4 (CMP), 6 (levels), 7 (materials), 8 (windows and doors), 9 (meter boxes), 11 (boundary treatments), 12 (landscaping) and 13 (biodiversity) on planning permission 22/00278/FUL - RC

22/00278/FUL - Demolition of existing buildings and erection of 2no pairs of semi-detached dwellings and 1no detached with associated access (Resubmission of 21/01568/FUL) – Approved

21/01568/FUL – 6no. semi-detached dwellings following demolition of existing garage – withdrawn.

CONSULTATION RESPONSES

Highways And Engineering

No objections

Drainage

No objections

REPRESENTATIONS

Letters of representation have been sent to surrounding neighbours and a site notice has been displayed. No comments have been received.

ANALYSIS

Principle.

The principle of development was established in the application 22/00278/FUL. Whilst approval of the application would, in effect, result in the issuing of a new permission, consideration only needs to be given to those elements of the scheme which differ from the previous approval, together with any significant change in policy which has occurred in the interim. The key consideration of this application is the impact of the proposed amendments on parking and impact on surrounding occupiers.

Impact on surrounding occupiers.

The impact of the development was considered in the original application, as there is an absence of any residential occupiers facing the front elevation of Plot 1 and 2 the proposed amendments are considered acceptable.

The proposal is not considered to have a negative impact on surrounding occupiers and the application would accord with Core Strategy policy DM1, the Residential Development SPD and the NPPF.

Highways.

As part of the application process the Council's Highways Officer have been consulted and raised no objections. Due to Plots 1 and 2 moving forward some car parking spaces are being lost. Rochdale Core Strategy sets out in Appendix 5 the Schedule of parking standards, the proposal still achieves 2 spaces per dwelling.

The proposal would be considered acceptable in respect of highways, access and parking and the application would accord with Core Strategy policies T2 and DM1, the Residential Development SPD and the NPPF.

Planning conditions.

As the application results in a new decision notice, and noting that the development has begun, it is necessary to review the conditions that were previously attached to planning permission 22/00278/FUL to determine which need to be repeated on the new decision notice.

Condition	Status	Repeat	Any amendments?
1 (time limit)	Compliance	No	N/A
2 (plans)	To be varied	Yes	Yes
3(pre-comm)	Details approved	Yes	Yes
4 (pre-comm CMP)	Details approved	Yes	Yes
5(pre-comm)	Details approved as part of this application	Yes	Yes
6(pre-comm floor levels)	Details approved	Yes	Yes
7(materials)	Details approved	Yes	Yes
8(windows)	Details approved	Yes	Yes
9(meter boxes)	Details approved	Yes	Yes
10(spaces)	To be approved	Yes	No
11(boundary treatments)	Details approved	Yes	Yes
12(hard and soft landscaping)	Details approved	No	N/A
13(biodiversity)	To be approved	Yes	No
14(birds)	To be approved	Yes	No
15(Glass)	Compliance	Yes	No
16(GDPO)	Compliance	Yes	No

The above table shows conditions that have been approved and conditions that are yet to be approved. During the process of this application it was noted condition 5 had not been approved and the development had commenced unlawfully. As part of this application the applicant has submitted drainage details to discharge condition 5. The Council's Drainage Officer has been consulted and approved the details submitted in, 'Critical Results by Garry Eyres dated 28/01/25, Flow controls and storage structure by Garry Eyres dated 28/01/25, Proposed Drainage Arrangement Sheet 1 of 2 25 – 25- 01 – 100 Rev P3 and Proposed Drainage Arrangement Sheet 2 of 2 25 – 25- 01 – 100 Rev P3' in relation to condition 5.

RECOMMENDATION

GRANT subject to the following conditions:

1. This permission relates to the following plans:-

Location Plan

2145/01 – Existing Site Plan

PROPOSED STREET SCENE 1 REVISION 1 – Dated 20/05/2022

PLOTS 1, 2, 3 & 4 PROPOSED FLOOR PLANS AND ELEVATIONS

REVISION 1 – Dated 20/05/2022

Proposed Site Plan dr. 02 Rev C

PLOT 5 PROPOSED FLOOR PLANS AND ELEVATIONS REVISION 1 –
Dated 20/05/2022

Critical Results by Garry Eyres dated 28/01/25

Flow controls and storage structure by Garry Eyres dated 28/01/25

Proposed Drainage Arrangement Sheet 1 of 2 25 – 25- 01 – 100 Rev P3

Proposed Drainage Arrangement Sheet 2 of 2 25 – 25- 01 – 100 Rev P3

and the development shall be carried out in 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. The development hereby approved shall be carried out in accordance with details provided in the Phase II site investigation. A further submission will be required to submit a verification report for the written approval of the local planning authority, demonstrating the effectiveness of the approved remediation measures, before any of the buildings hereby approved are first occupied.

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 and the National Planning Policy Framework.

3. The development shall be carried out in accordance with details provided in the Construction Method Statement Project Ref 2145 and approved under 22/01288

Reason: To minimise the detrimental effects to the highway network and to the amenity of nearby occupiers during the construction phase in accordance with Policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4. Prior to first occupation of the proposed development the drainage details in 'Critical Results by Garry Eyres dated 28/01/25, Flow controls and storage structure by Garry Eyres dated 28/01/25, Proposed Drainage Arrangement Sheet 1 of 2 25 – 25- 01 – 100 Rev P3 and Proposed Drainage Arrangement Sheet 2 of 2 25 – 25- 01 – 100 Rev P3 approved under application 24/00291/VRCON shall be fully implemented and retained thereafter for the lifetime of the development.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface and foul water from the site in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. The development shall be completed in accordance with the levels approved under application 22/01288/DOC.

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

6. The development shall be completed in accordance with the materials comprising "Bradgate Red Facing Brick," "ET Blue Coniston Brick," "Natural Blue Slate," "Black Power Coated Aluminium," and "Black uPVC Fascias, Soffits and Rainwater Goods," approved under application 22/01288/DOC and retained thereafter for the lifetime of the development.

Reason In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

7. The development shall be completed in accordance with the details of windows, external doors, roof lights and details of the window and door reveals shown in approved under 22/01288/DOC retained thereafter for the lifetime of the development.

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

8. The development shall be carried out in accordance with the details of pipework, meter boxes and flues as shown on the submitted drawings 2145-10 to 2145-20 approved under 22/01288/DOC and retained thereafter for the lifetime of the development.

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

9. No above ground works shall take place until a detailed design for the replacement access from Kirkway, parking spaces and access road serving the development hereby approved, including construction level drawings showing the levels, drainage strategy, lighting and materials (as necessary), has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details prior to the first occupation of the approved dwellings and shall be retained thereafter for their intended purpose.

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

10. The development shall be carried out in accordance with the details of boundary treatments as set out on the plan 2045-DOC1 "Soft, Hard Landscaping and Levels approved under 22/01288/DOC. The development shall be carried out in complete accordance with the approved details prior to the first occupation of the approved dwellings and shall be retained thereafter for their intended purpose.

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.

11. The development shall be carried out in accordance with the details set out on the plan 2045-DOC1 "Soft, Hard Landscaping and Levels" approved under 22/01288/DOC. The development shall be carried out in complete accordance with the approved details prior to the first occupation of the approved dwellings and shall be retained thereafter for their intended purpose.

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 Core Strategy Policy G6 and G7 and the National Planning Policy Framework.

12. The dwelling hereby approved shall not be occupied until such time as a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks to be situated externally on, or integrated to the fabric of the dwelling hereby approved has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, re-enactment or revocation thereof, prior to first occupation of each respective plot (as identified on the approved site plan), all windows to the side elevations facing north and south at upper floor level(s) on the dwellings hereby approved shall be fitted with textured glass, which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent), and shall be non-opening below 1.7m from the internal floor level. The windows shall be retained as such thereafter:

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

14. 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 their curtilage under Schedule 2, Part 1, Classes A, AA, B, D, and E of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent undue harm to the amenity of existing and future occupiers and in the interest of visual amenity and in accordance with Policy DM1 adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Notes for Applicant:

INFORMATIVE:

There is an existing bus shelter fronting the site which the proposals do not appear to impact. TfGM would highlight that the bus stop and shelter will need to be retained in the existing location. Should construction works impact upon the use of the bus stop, the applicant will need to liaise with the Bus Station Operations team busstation.operations@tfgm.com prior to undertaking any works on site.

Report Author Aimee Bovaird