

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00291/VRCON

Name and address for correspondence:	Applicant name:
Mr Alan Davies Northern Design (Oldham) 17 Station Lane Grotton Oldham OL4 5QY United Kingdom	Mr Antony Handsley

Part I - Particulars of Application

Date of Application: 22 March 2024

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)
Location:	Kirkway Service Station, Kirkway, Middleton, M24 1LW

Part II - Particulars of decision

The Rochdale Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and submitted plans subject to the following condition(s):

Conditions and Reasons:

- 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

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.

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 and retained thereafter for the lifetime of the development.

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/VRCO 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 full accordance with the levels approved under application 22/01288/DOC and retained thereafter for the lifetime of the development.

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 full 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 and retained thereafter for the lifetime of the development.

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 and retained thereafter for the lifetime of the development.

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.

Statement under Article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended):

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.

Date Decision Issued 5 February 2025

Melanie Hale
Head of Planning Services

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.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £43.00 for householder applications and £145.00 in all other cases.

INFORMATIVE:

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority Property Search Service on 0845 762 6848 or at www.groundstability.com.

INFORMATIVE:

The applicant is advised that the supply and delivery of refuse containers (including all wheelie bins and food waste caddies) for residential developments is chargeable and the responsibility for these charges rests with the applicant/developer. The cost is based on a variable rate per property depending on the property size and number of bedrooms but as an indication, the present charge for a suite of three 240l recycling bins and one 240l refuse bin is £144 per residence. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.

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.