



PLANNING AND DEVELOPMENT

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Date: 4 July 2024

Mr M Farooq
Building Design Services
418 Bury Road
Rochdale
OL11 5EU

DECLINE TO DETERMINE PLANNING APPLICATION

Date of Application: 24 June 2024

Application No: 24/00604/FUL

Proposal and Location:

Change of use of land from the sale of motor vehicles (sui-generis) to a mixed use comprising tyre storage, processing (including shredding and bailing), export and tyre sales and fitting (Sui Generis) including erection of a single store rear extension to house bailing machine

Global Tyre _ Recycling Ltd, Former Castleton Service Station, Manchester Road, Rochdale, OL11 3AA, ,

The Rochdale Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that it has **declined to determine** an application for permission for the carrying out of the development referred to above.

Reason(s):

- 1 In accordance with Section 70C(1) of the Town and Country Planning Act 1990 (as amended), a local planning authority may decline to determine an application for planning permission for the development of any land if granting planning permission for the development would involve granting, whether in relation to the whole or any part of the land to which a pre-existing enforcement notice relates, planning permission in respect of the whole or any part of the matters specified in the enforcement notice as constituting a breach of planning control.

The Local Planning Authority has carefully considered retrospective planning application ref: 24/00604/FUL and the similarities between it and the pre-existing Enforcement Notice dated 31st August 2023 for the same site, which was upheld on appeal by way of Decision Letter Ref: APP/P4225/C/23/3329801 dated 22nd March 2024.

Having regard to section 70(C)(1) of the Act, it is clear that granting planning permission for the proposed development would involve granting planning permission for the whole or part of the matters specified in the Enforcement Notice as constituting a breach of planning control.

The application will now be returned to you.

Date of Decision 4 July 2024

Melanie Hale

Head of Planning Services