

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 25/00986/VRCON

Name and address for correspondence:	Applicant name:
Mr Ian Stott AJ Cocker Associates New Century House 176 Drake Street ROCHDALE OL16 1UP	Mr Zulq Shah

Part 1 - Particulars of Application

Date of Application: 8 October 2025

Proposal:	Section 73 Application to vary Condition 1 (Approved Plans) of reserved matters application 25/00177/REM (access, appearance, landscaping and layout pursuant to application 24/00646/OUT for the erection of a two storey building comprising of a retail unit at ground floor and one, two bedroom apartment at first floor) to include the provision of a roller shutter to the shop front and the installation of Solar PV panels to the south and west facing roof slopes.
Location:	Land At Boarshaw Road / Clough Street, Middleton, M24 2WQ,

Part 2 Compliance with Conditions

It is YOUR responsibility to comply with planning conditions. The Council's Planning Enforcement Team is responsible for investigating alleged breaches of planning control. This includes ensuring that all relevant conditions have been complied with. Effective enforcement is important to:

- Tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.

Whilst the majority of developers/homeowners do comply with the requirements of planning permissions, there are a number who do not. Where any planning conditions are breached, the Council can take formal enforcement action without further notice. Enforcement action could include such measures as requiring remedial works, cessation of use, or complete demolition and can cause the developer/homeowner unnecessary expense, delay and frustration. In some cases, failure to comply with planning conditions can lead to the loss of the planning permission.

Part 3 - 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 The development hereby permitted shall begin no later than two years from the date of Reserved Matters Application 25/00177/REM approved on 22nd May 2025.

Reason: For the avoidance of doubt and to ensure that any conditions imposed on the original permission remain in force other than as expressly hereby varied and development must be started in accordance with Section 73(5) and Section 92 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

- o Location Plan Drawing No S507-06
- o Proposed Layout Drawing No S507-01 Rev B
- o Proposed Layout Drawing No S507-02 Rev B
- o Proposed Layout Drawing No S507-04 Rev B

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 The development shall be carried out in conformity with the Drainage Strategy Report referenced rep-tjba-shah-boarshaw rd & clough st-DSR-070725.docx as approved under discharge of condition application 25/00985/DOC issued on the 17 November 2025.

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.

- 4 In the event that contamination is suspected or found at any time when carrying out the approved development that was not previously identified, or contamination is caused, the Local Planning Authority shall be notified immediately and development affected and potentially affected by the contamination must stop. An investigation and/or risk assessment and/or remediation shall be carried out in accordance with an agreed process and within agreed timescales to have first been submitted to and approved in writing by the Local Planning Authority. If contamination is not suspected, found or caused during development, this must be confirmed in a completion letter which is subject to the approval in writing of 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.

- 5 The materials to be used in the construction of the development hereby approved shall be those as approved under discharge of condition application 25/00985/DOC issued on the 17 November 2025.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and heritage and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

- 6 The boundary treatments to be used in the construction of the development hereby approved shall be those as approved under discharge of condition application 25/00985/DOC issued on the 17 November 2025. The development hereby approved shall not be occupied before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and heritage and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

- 7 Notwithstanding the details shown on the submitted plans, the proposed ground surfacing materials around the perimeter of the site shall be constructed using permeable paving materials on a permeable base.

Reason: To promote sustainable development and secure proper drainage and in order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

- 8 The scheme of biodiversity enhancements to be implemented as part of the development hereby approved shall be those as approved under discharge of condition application 25/00985/DOC issued on the 17 November 2025. The duly approved scheme shall be implemented in full prior to final occupation of the phase of development to which the measures relate 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, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 9 The retail component of the development hereby approved shall not be operated outside the hours of 07:00-23:00 Monday to Saturday and 07:00-21:00 Sundays and Bank Holidays.

Reason: To protect the amenity of nearby occupants and in accordance with Policies G9 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.

- 10 There shall be no deliveries during the operational phase of the commercial/retail element of the development hereby approved outside of the hours of 09:00 - 18:00 Monday to Sunday including Bank Holidays.

Reason: To protect the amenity of nearby residential occupants in accordance with Policies G9 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.

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

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 Decision Issued 17 November 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: [Fees for Planning Applications in England](#)

INFORMATIVE:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

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. Please contact Environmental.Management@rochdale.gov.uk for a quotation for your development.