

Town and Country Planning Act 1990 (as amended)

NON MATERIAL AMENDMENT TO EXISTING PLANNING PERMISSION

APPLICATION REFERENCE: 25/00107/ANM

Name and address for correspondence:	Applicant name:
Mr Neil Howard Molloy Developments Ltd Chandos House Oak Green Business Park Earl Road Cheadle Hulme Cheshire SK8 6QL United Kingdom	Mr Neil Howard

Part 1 - Particulars of Application

Date of Application: 7 February 2025

Proposal:	Non-material amendment to planning permission 23/00331/FUL (conditions 2 and 11) to revise the approved arboricultural plan to align with the approved Site Plan
Location:	Linkside , Sunny Brow Road, Middleton, Rochdale, M24 4BG

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 the revised details listed in Part I above have been approved as a non-material amendment to the existing planning permission.

The Council hereby GRANTS the above development in accordance with the revised details as stated on the application form subject to the following conditions and reasons:

Conditions and Reasons:

1 Amended Condition 2

This permission relates to the following plans and documents:

Arboricultural Impact Assessment by James Royston Arboricultural Consultant, Ref: 220721a, Report completed 28th September 2022, Updated 3rd February 2025

Received by the Local Planning Authority on 3rd February 2025

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

2 Amended Condition 11

The erection of fencing for the protection of any retained tree or trees shall be undertaken in accordance with the Arboricultural Impact Assessment by James Royston Arboricultural Consultant, 220721a, Report completed 28th September 2022, Updated 3rd February 2025 before any equipment, machinery or materials are brought on to the site. Such protection as required by the above condition shall be retained throughout the entire period of construction and until all equipment, machinery and surplus materials have been removed from the site. No materials, soil, rubbish or vehicles shall be deposited or stored in any area fenced in accordance with this condition and no fires shall be lit, and no raising or lowering of ground levels shall take place within this area. No drains, pits, ditches or trenches shall be dug in or run across the area protected by the fencing, at any time before, during and after the development of the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with Policy G6 of the Rochdale Core Strategy.

Date Decision Issued 13 March 2025

Melanie Hale
Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE.

THIS DECISION NOTICE SHOULD BE READ IN CONJUNCTION WITH THAT OF THE PARENT PLANNING PERMISSION THE CONDITIONS OF WHICH APPLY TO THE PROPOSAL AS AMENDED.

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 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.

This decision notice is to be read alongside that issued with planning permission 23/00331/FUL. All conditions that were imposed on the previous planning permission remain with the exception of those amended by the listed non-material amendments.