

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/01231/FUL

Name and address for correspondence:	Applicant name:
Mr Mark Bradbury Healey Consulting 63 Dale Street Milnrow OL16 3NJ United Kingdom	Mrs Rhea Fitzsimons

Part 1 - Particulars of Application

Date of 27 March 2025
Application:

Proposal:	Change of use of land as an extension to the private curtilage of the dwellinghouse including engineering works comprising both the excavation and reduction in levels, construction of a new retaining wall and the creation of associated car parking (Part Retrospective).
Location:	10 Limefield Terrace, Halifax Road, Littleborough, OL15 0LD,

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 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 subject to the following condition(s):

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The permission relates to the following plans:

- o Location Plan Drawing No HC-24091-(60)-002 Rev C
- o Existing and Proposed Block Plan Drawing No HC-24091-(60)-003 Rev E
- o Proposed Site Plan and Elevations Drawing No HC-24091-(60)-001 Rev C
- o Proposed Cross Section Drawing No HC-24091-(60)-004

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 adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 Notwithstanding any description of materials in the application or as shown on the approved drawings, no works shall commence on the proposed retaining wall until samples and / or full specifications of materials to be used externally on the proposed retaining wall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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 to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

- 4 Prior to first use of the development hereby approved, a scheme of biodiversity enhancements shall first be submitted to and approved in writing by the Local Planning Authority. Such measures shall include, but not be limited to, the provision of bird boxes and bat boxes. The duly approved scheme shall then be implemented in full prior to first use of the development hereby approved 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.

- 5 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 development and extension of the residential curtilage hereby approved shall not be altered or extended, and no buildings or structure shall be erected within the curtilage under Schedule 2, Part 1, Classes A and E of the above Order.

Reason: To protect the openness of the Green Belt in accordance with Policy JP-G9 of the PfE and the National Planning Policy Framework and in the interest of visual amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

a) A Biodiversity Gain Plan has been submitted to the planning authority,

and;

b) The planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Rochdale Borough Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because statutory BNG is not required on retrospective applications.

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.

Date Decision Issued 29 May 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](#)