



Town and Country Planning Act 1990 (as amended)

## PLANNING PERMISSION REFUSED

APPLICATION REFERENCE: 22/01575/FUL

|                                                                                                         |                 |
|---------------------------------------------------------------------------------------------------------|-----------------|
| Name and address for correspondence:                                                                    | Applicant name: |
| Mr Owen Hoare<br>Nimble Planning and Development<br>18 Blackthorn Walk, Kingswood<br>Bristol<br>BS151TZ | Ms Jackson      |

### Part I - Particulars of Application

Date of Application: 10 January 2023

Application No: 22/01575/FUL

|                  |                                                                                                                         |
|------------------|-------------------------------------------------------------------------------------------------------------------------|
| <b>Proposal:</b> | <b>Change of use and siting of shipping container for use as café (Use Class E) and portable toilet (retrospective)</b> |
| <b>Location:</b> | <b>Land By Ripponden Road, Delph, Littleborough, OL3 5UN</b>                                                            |

### Part II - 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 **REFUSED** for the carrying out of the development referred to in Part I hereof for the following reason(s).

#### **Reasons:**

- 1 The proposed development would comprise inappropriate development in the Green Belt which is harmful by definition, and would additionally lead to a loss of openness of the Green Belt. No very special circumstances exist to clearly outweigh the harm by reason of inappropriateness and the additional harm due to loss of openness, and the harm identified to the character and appearance of the surrounding area. The proposal is therefore contrary to saved policy G/D/2 of the Rochdale Unitary Development Plan 2006, policy JP-G9 of the Places for Everyone joint development plan and paragraphs 152 and 153 of the National Planning Policy Framework.
- 2 By virtue of its form and external appearance, the proposal fails to respond to the physical context and character of the local area, and is therefore not well-designed and would fail to contribute positively towards local identity and distinctiveness, and would fail to reflect and respond to the special qualities and sensitivities of the Open Moorlands and Enclosed Upland Fringes (West/South Pennines) Landscape Character Area. The proposal would therefore be contrary to policies DM1, P2 and P3 of the adopted Rochdale Core Strategy, policies JP-P1, JP-G1 and JP-G5 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework

- 3 Insufficient information (in the form of a shadow Habitats Regulation Assessment) has been submitted to demonstrate that the development would not have potential significant effects on the South Pennine Moors Special Area of Conservation. As such, it has not been possible to determine whether the proposal would be acceptable in terms of the Habitats Regulations and approval would therefore be contrary to policy G7 of the adopted Rochdale Core Strategy, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

**Procedure Statement:**

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

Date Decision Issued            26 August 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.