



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/01058/FUL

Name and address for correspondence:	Applicant name:
Mr Andrew Brodie AGB CAD Services Ltd Royal Mills 2 Cotton Street Manchester M4 5BD	J Schembri

Part 1 - Particulars of Application

Date of Application: 6 February 2024

Proposal:	Erection of a stable building following demolition of the existing stable building and outbuildings and excavation of land
Location:	Calderbrook Alpacas, Todmorden Road, Littleborough, OL15 9LY

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 This permission relates to the following plans:-

- Location Plan. Drawing number: 2331-01
- Existing Plan and Site Section. Drawing number: 2331-02
- Existing Plan and Site Section. Sections B-B & C-C. Drawing number: 2331-07. Received by email on 08/10/2024
- Existing Plans and Elevations. Drawing number: 2331-06
- Proposed Plan and Site Section. Drawing number: 2331-03. Rev: A. Received by email on 08/10/2024
- Proposed Plan and Site Section. Sections B-B & C-C. Drawing number: 2331-08. Received by email on 08/10/2024
- Proposed Plans and Elevations. Drawing number: 2331-04

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

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the saved Rochdale Unitary Development Plan, the Rochdale Core Strategy, the Places for Everyone Joint DPD and the National Planning Policy Framework.

- 3 Prior to the installation of the surface water drainage scheme, details of the surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be completed and maintained in accordance with the approved details thereafter.

Reason: To prevent an increased risk of flooding and minimising the risk of creating land stability as a result of the development in accordance with the requirements of policies G8 and G9 of Rochdale Core Strategy, Places for Everyone Joint DPD and the National Planning Policy Framework.

- 4 No external lighting shall be installed on the hereby approved development until a detailed scheme has been submitted to and approved in writing by the Local Planning Authority. Any such scheme shall be duly implemented in accordance with the approved details and retained as such thereafter.

Reason: In the interests of ensuring the conservation of protected species in accordance with policy G7 of the Rochdale Core Strategy, policy JP-G8 of the Places for Everyone Joint DPD and the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

- 5 The recommendations made for measures during the construction process as submitted in section 6.2 of the submitted Preliminary Ecological Appraisal (prepared by JCA Limited; reference number: 21680a/JF; dated: 17/01/2024) shall be adhered to at all times during the construction process unless first agreed in writing by the Local Planning Authority.

Reason: In order to ensure protected species are appropriately protected from the development and to accord with the requirements of policy G7 of the Rochdale Core Strategy, policy JP-G8 of the Places for Everyone Joint DPD and the National Planning Policy Framework.

- 6 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the

survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the Rochdale Core Strategy, Policy JP-G8 of the Places for Everyone Joint DPD and the National Planning Policy Framework.

- 7 Prior to first use of the development hereby approved, the biodiversity enhancement as recommended in section 6.1 of the submitted Preliminary Ecological Appraisal (prepared by JCA Limited; reference number: 21680a/JF; dated: 17/01/2024), shall be carried out in full and retained as such thereafter.

Reason: In order to ensure protected species are appropriately protected from the development and to accord with the requirements of policy G7 of Rochdale Core Strategy, policy JP-G8 of the Places for Everyone Joint DPD and the National Planning Policy Framework.

- 8 Prior to commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The development phase shall be undertaken in accordance with the approved details. For the avoidance of doubt, this shall include pollution prevention measures to ensure works do not adversely affect the canal.

Reason: In order to prevent an adverse impact on the natural environment in accordance with policies DM1 and G7 of the Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: The condition relates to the construction phase of the development which poses a threat to the surrounding natural environment and a scheme therefore needs to be agreed in advance of any works taking place.

Procedure Statement:

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 2 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: £43.00 for householder applications and £145.00 in all other cases.

INFORMATIVE:

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:

www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk) In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is 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 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.

The Environment Agency has advised that as some of the development will be within 8m of a statutory main river, these works will require a flood risk activity permit and the specifics of the works proposed will be required to be of a standard satisfactory for this purpose. The permitting process is separate from the planning process.

The Environment Agency have advised the applicant to contact the Environment Agency at the earliest opportunity. Further information can be found by visiting <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

A canal feeder channel is present to the west of the development site. The Canal and River Trust wish to remind the applicant that they should seek to ensure that the feeder is not disturbed or flows impacted during and after the development works.

All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). In the event that a bat is identified during the course of works, then works must cease and an ecologist should be contacted immediately. Before any work can proceed which may cause harm to bats, a License will need to be obtained from Natural England derogating from the terms of the legislation protecting bats. The License application process is separate from any grant of planning permission.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work should cease immediately and an ecologist/LPA should be contacted.