



Town and Country Planning Act 1990 (as amended)

NON MATERIAL AMENDMENT TO EXISTING PLANNING PERMISSION

APPLICATION REFERENCE: 24/01254/ANM

Name and address for correspondence:	Applicant name:
Aster Planning LLP Calico 53-55 Mosley Street Manchester M2 3HQ United Kingdom	Russell Homes (UK) Ltd

Part 1 - Particulars of Application

Date of Application: 20 December 2024

Proposal:	Application for non-material amendment to planning permission 16/01399/HYBR which seeks to amend condition 24 (Noise)
Location:	Land Bound By Manchester Road, Hareshill Road And Pilsworth Road , West Of Junction 19 Of The M62, Rochdale, ,

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:

Schedule 2 of 16/01399/HYBR

24 No development shall take place on any residential phase of development until a scheme of noise mitigation measures has been submitted to and approved in writing by the Local Planning Authority, demonstrating that all residential units within that particular phase of development shall achieve the following internal and external noise levels:

- 35 dB(A) Leq (16 hour) in the bedrooms between the daytime hours 7 am and 11pm to protect daytime resting;
- 30 dB(A) Leq (8 hour) in the bedrooms between the night-time hours of 11pm and 7am;
- 35 dB(A) Leq (16 hour) in the living room/s between the daytime hours of 7 am and 11pm;
- 40 dB(A) Leq (16 hour) in any dining rooms during daytime hours;
- Noise in private external amenity areas shall aim to achieve the guideline values given in BS8233:2014 and ProPG or the lowest practicable levels in accordance with BS8233:2014 and ProPG; to a maximum of 58 dB(A) Leq (16 hour);
- Maximum instantaneous sound levels should not exceed 45 dB(A) Lmax, fast measured (based on a five minute logging interval) in bedrooms more than 10 times per night.

Where the internal residential criteria set out above will only be met with windows closed, an appropriate means of alternative ventilation will be proposed for the affected rooms in the noise mitigation scheme.

All works which form part of the approved scheme shall be completed before the residential units within that phase are occupied and retained thereafter.

Reason: To safeguard the living conditions of future residents in accordance with Core Strategy Policy G9 and the National Planning Policy Framework.

Reason: for pre-commencement condition: Design and provision of adequate protection for future residential occupiers is fundamental to good design practice and it is necessary to understand the performance of a future phase or plot prior to its construction

Date Decision Issued 20 March 2025

**Melanie Hale
Head of Planning Services**

IMPORTANT

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

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

INFORMATIVE:

This decision notice is to be read alongside that issued with planning permission 16/01399/HYBR and non-material amendments 20/00417/ANM, 20/00464/ANM, 20/00933/ANM, 20/01270/ANM, 20/01413/ANM, 20/01388/ANM, 21/00390/ANM, 21/01210/ANM, 22/00283/ANM, 22/00500/ANM, and 23/0010/ANM. All conditions that were imposed on the previous planning permission remain with the exception of those amended by the listed non-material amendments.