

Town and Country Planning Act 1990 (as amended)

## PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/00988/VRCON

|                                                                                                 |                  |
|-------------------------------------------------------------------------------------------------|------------------|
| Name and address for correspondence:                                                            | Applicant name:  |
| Paul Clark<br>CJ Partnership<br>Blue Pit Mill<br>Queensway<br>Castleton<br>Rochdale<br>OL11 2PG | Mr Mark Sharples |

### **Part 1 - Particulars of Application**

Date of Application: 29 September 2023

|                  |                                                                                                                                                                                                        |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Proposal:</b> | <b>Variation of condition 2 (approved plans) and 3 (materials) of planning permission 15/01450/FUL Erection of two dwellings to enable the restoration of Red House (Resubmission of 14/00684/FUL)</b> |
| <b>Location:</b> | <b>13 Broadhalgh Avenue, Rochdale, OL11 5LW,</b>                                                                                                                                                       |

### **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 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 submitted plans subject to the following condition(s):

**Conditions and Reasons:**

1 This permission relates to the following plans:-

- The Red House North, South Elevations drawing no. 2012.003 | 001
- The Red House East, West Elevations and Roof Plan drawing no. 2012.003 | 002
- The Red House Ground and First Floor Plan drawing no. 2012.003 | 003
- The Red House Outbuildings Location and Elevations drawing no. 2012.003 | 004 rev. A
  - Plans as Proposed Material Amendments SK02 - Drawing No 25 Date June 2023, Revision A - received by the Council 05/03/2025
  - Proposed Garage Plan drawing no. 2012.002 | 008
  - Design and Access Statement & Heritage Statement by Assent Planning Consultancy Ltd. dated June 2014
  - RICS HomeBuyer Report dated 18th January 2013
  - Arboricultural Report by MMA Tree Consultancy UK
  - Conservation Deficit met by Enabling Development - Erection of One Dwelling
- Conservation Deficit met by Enabling Development - Erection of Two Dwellings
- TJ Booth Associates ref. rep-tjba-doheny-13 broadhalgh ave-phs 1&2-080219.docx rev. 0 dated March 2019 received by the Council 15/05/2019 (Under REF: 19/00541/DOC)
- Finished Floor and Site Levels - 18.1919.10 received by the Council 15/05/2019 (Under REF: 19/00541/DOC)
- Access route detail (plan refs. 18.1919.10 and 18.1919.20B) received by the Council 15/05/2019 (Under REF: 19/00541/DOC)
- Drainage proposals, as set out on plan ref. 18.1919.20B - received by the Council 30/09/2019 (Under REF: 19/00541/DOC)
- Arboricultural Tree Survey (MMA Tree Consultancy) received by the Council 15/05/2019 (Under REF: 19/00541/DOC)
- Arboricultural Method Statement (MMA Tree Consultancy) received by the Council 15/05/2019 (Under REF: 19/00541/DOC)
- Arboricultural Method Statement Plan (including CEZ, Cellular Confinement System and Temporary Ground Protection detail) received by the Council 15/05/2019 (Under REF: 19/00541/DOC)
- Cellweb TRP Installation Guide received by the Council 15/05/2019 (Under REF: 19/00541/DOC)
- BS 5837:2012 Protective Barrier Specification received by the Council 15/05/2019 (Under REF: 19/00541/DOC)
- Landscaping Proposal—Land at rear of The Red House—13 Broadhalgh Ave, Rochdale, OL11 5LW received by the Council 15/05/2019 (Under REF: 19/00541/DOC)

and the development shall be carried out in complete 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 adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

2 No development, including any works of demolition or site preparation, shall take place until such time as a phasing plan identifying all phases of the development has been submitted to and approved in writing by the Local Planning Authority. The development/works shall thereafter be undertaken in accordance with the duly approved phasing plan thereafter.

For the avoidance of doubt, any submission shall include an updated schedule of works required to restore the Red House.

Reason: In the interests of ensuring the co-ordinated and comprehensive redevelopment of the site to protect the significance of the heritage assets in accordance with Policies P2 and DM1 of the adopted Rochdale Core Strategy and the NPPF.

Reason for pre-commencement: A phasing plan is required to be agreed in advance of commencement of any works on site to ensure comprehensive phasing.

- 3 Notwithstanding any description of materials in the application no above ground construction works on the approved dwellings shall take place until samples and / or full specifications of materials to be used externally on the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P2 P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework

- 4 The development hereby approved shall be carried out in accordance with the recommendations of the Phase I & II Environmental Audit by TJ Booth Associates ref. rep-tjba-doheny-13 broadhalgh ave-phs 1&2-080219.docx rev. 0 dated March 2019. If unexpected contamination is identified or materials are imported onto site, the LPA should be notified in accordance with the recommendations of the report.

The development shall not be occupied until such time as a verification report has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 5 The development hereby approved shall not be occupied until such time as the access route has been constructed in accordance with the details shown on the plans ref. 18.1919.10 and 18.1919.20B. The route shall be retained thereafter.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy, Policy JP-C8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 6 The development hereby approved shall not be occupied until such time as the foul and surface water drainage scheme has been installed in accordance with the details set out within the plan ref. 18.1919.20B. The drainage features shall be retained thereafter.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, Policy JP-S4 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 7 No development (including any demolition, site clearance or preparation works) shall take place until the trees that are to be retained within the site has been enclosed with temporary protective fencing and temporary ground protection has been fully installed in full accordance with BS:5837:2012 'Trees in relation to design, demolition and construction' and with the approved Tree Protection Plan ref. Arboricultural Tree

The necessary protection measures shall be retained and the Arboricultural Method Statement ref. 'Arboricultural Method Statement (MMA Tree Consultancy), and Arboricultural Method Statement Plan (including CEZ, Cellular Confinement System and Temporary Ground Protection detail) and Cellweb TRP Installation Guide' shall be adhered to throughout the construction phase of the development and no works, excavation, tipping, or stacking/storage of materials shall take place beyond such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies P3, G1, G6 and G7 of the adopted Rochdale Core Strategy, Policies JPP1, JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: The trees must be protected before any works are carried out.

- 8 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy, Policy JP-C8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 9 Prior to the occupation of the dwellings, a scheme including details of the siting, design and construction materials of refuse recycling/bin store(s) for each dwelling shall be submitted to the Local Planning Authority for approval in writing. Each dwelling shall not be occupied until the relevant facilities to that dwelling, in accordance with the approved scheme, have been provided and made available for use. The facilities shall be maintained in accordance with the approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 10 No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework. .

- 11 The landscaping proposals shall be carried out in accordance with the approved scheme detailed on "Landscaping Proposal—Land at rear of The Red House—13 Broadhalgh Ave, Rochdale, OL11 5LW" within the first planting season following final occupation of the development hereby permitted.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Core Strategy Policies G6 and G7, Policies JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework

- 12 No above ground works shall commence on the approved dwellings until details of all new external window and door joinery to be used on the new dwellings have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:20 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:10. The works shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework. .

- 13 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 dwellings hereby approved shall not be altered or extended, and no buildings or structure shall be erected within their curtilage under Schedule 2, Part 1, Classes A, B, C, D, E and F of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent undue harm to the amenity of existing and future occupiers and in the interest of visual amenity and in accordance with Policies P3 and DM1 adopted Rochdale Core Strategy and Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 14 Notwithstanding any description of materials in the application or schedule of works, no works on the Red House and associated outbuildings shall take place until samples and / or full specifications of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The restoration works shall be carried out in accordance with the approved details.

Reason: In order to ensure the satisfactory restoration of the Red House in the interests of visual amenity in accordance with Policies P2 and P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework

- 15 No works to repoint the brickwork of the Red House and associated outbuildings shall be undertaken until:

(a) Details of the specification of repointing have been submitted to and approved in writing by the Local Planning Authority;

(b) A sample panel not less than 1 metre square to show the proposed mortar composition and colour, and the method of pointing, has been prepared on site, inspected and approved in writing by the Local Planning Authority.

Reason: In order to ensure the satisfactory restoration of the Red House in the interests of visual amenity in accordance with Policies P2 and P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework

- 16 No refurbishment and replacement works to the windows and doors on the Red House shall commence until details of all new external window and door joinery to be used, including a specification for the proposed secondary glazing, and a detailed scheme for refurbishment have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, cills and

lintels, elevations at a scale of not less than 1:20. The works shall be carried out in accordance with the approved details.

Reason: In order to ensure the satisfactory restoration of the Red House in the interests of visual amenity in accordance with Policies P2 and P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 17 No works to replace rainwater goods on the Red House and associated outbuildings shall take place until details of all new or replacement rainwater goods and their means of fixing to the building have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In order to ensure the satisfactory restoration of the Red House in the interests of visual amenity in accordance with Policies P2 and P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework

**Statement under Article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended):**

Date Decision Issued 8 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](#)

**INFORMATIVE:**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is also 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. Please contact [Environmental.Management@rochdale.gov.uk](mailto:Environmental.Management@rochdale.gov.uk) for a quotation for your development.

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.