

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**Removal/Variation of Conditions**

APPLICATION REFERENCE: PL/2026/0112

Applicant CGG MLI (REIT) Propco 1 Limited Hourigan Planning 10th Floor Chancery Place 50 Brown Street Manchester M2 2JG	Agent Mr Niall Mellan Hourigan Planning 10th Floor Chancery Place 50 Brown Street, Manchester M2 2JG
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Part I - Particulars of Application

Proposal: Section 73 application to vary conditions 2 (Approved Plans), 3 (Invasive Species), 4 (Tree Protection), 6 (Drainage Strategy), 8 (CMP), 9 (Materials), 11 (Landscaping), 13 (Cycle Parking), 14 (External Lighting), 16 (EV Charging Points), 19 (Acoustic Barrier) and 20 (Energy Statement) of planning permission 24/00453/VRCON

Location: Birch Business Park, Whittle Lane, Heywood, Rochdale, OL10 2SX

Valid On: 5 February 2026

DECISION: GRANT PERMISSION SUBJECT TO THE FOLLOWING CONDITIONS**Condition(s) (20)**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and details:
 - 21033_PL01 Site Location Plan
 - 21033_PL02 Existing Site Plan
 - 25026-HFR-UB-XX-DR-A-9002_P02 Proposed Site Plan
 - 25026-HFR-UB-RL-DR-A-9011_P01 Proposed Roof Plan
 - 25026-HFR-UB-XX-DR-A-9030_P01 Proposed Cycle Shelter
 - 25026-HFR-UB-XX-DR-A-9031_P01 Proposed Waste Compound

- 25026-HFR-UB-ZZ-DR-A-9010_P01 Proposed GA Plans
- 25026-HFR-UB-ZZ-DR-A-9020_P02 Proposed GA Elevation
- 25026-HFR-UB-ZZ-DR-A-9021_P01 Proposed Sections

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 saved Rochdale Unitary Development Plan, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 2 The development hereby approved shall not be carried out otherwise than in strict accordance with the details and timescales contained within the approved Invasive Method Statement by Urban Green.

Reason: To secure the satisfactory control or avoidance of this invasive species of plant which under the terms of the Wildlife & Countryside Act 1981, as amended, it is an offence to be caused to spread in the wild, and in accordance with adopted Rochdale Core Strategy policy G7, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 No development including works of demolition shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing prior to demolition or development works, in accordance with the Arboricultural Impact Assessment (AIA) ref. UG1236 Rev 03 (18/06/2026) and Arboricultural Method Statement (AMS) ref. UG1236 Rev 03 (18/06/2026) carried out by Urban Green. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within 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 G6 and G7 of the adopted Rochdale Core Strategy, Policy JP-G7 and JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Trees can be damaged by construction activity, and the measures therefore need to be installed in advance.

- 4 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a

remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure the site is adequately remediated 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 drainage scheme for the development shall be in general accordance with the Drainage Strategy as detailed in the Drainage Planning Strategy Drawing Reference D00 P4. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and shall be retained as such thereafter.

Reason: 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, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan, Policy JP-S4 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 6 No part of the development shall be occupied until a sustainable drainage management and maintenance plan for the lifetime of the development is submitted to and approved in writing by the local planning authority. The sustainable drainage management and maintenance plan shall include as a minimum:

- a) Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a management company; and
- b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: 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, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan, Policy JP-S4 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 7 The development hereby approved shall not be carried out otherwise than in strict accordance with the Construction Management Plan that comprises the Framework Construction Management Plan (January 2026).

Reason: To minimise detrimental effects to the amenities of surrounding occupiers and the area in general and detriment to the natural environment through the risks of pollution and dangers to highway safety during the construction phase in accordance with Policies DM1, T2, G7 and G9 of the adopted Rochdale Core Strategy, Policies JP-S1, JP-G8, JP-P1 and JP-C7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 8 Development shall be carried out in accordance with the approved details in the document titled 'Material List and Colours to Support Planning Condition 9_RevA of application 24/00453/VRCON.

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

- 9 No part of the development shall be occupied until a detailed specification for the design and construction of the associated parking and servicing areas, including detail of the surface water drainage strategy and surfacing materials, has been submitted to and approved in writing by the Local Planning Authority. The parking and servicing areas shown on the approved plans shall be constructed in accordance with the duly approved details before the associated building is first occupied, and shall be retained thereafter for their intended purpose.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway in the interests of highway safety and the free flow of traffic and to ensure the suitable disposal of surface water in order to comply with the requirements of policies T2, DM1 and G8 of the adopted Rochdale Core Strategy, saved policies EM/7 and EM/8 of the Rochdale Unitary Development Plan, Policies JP-S4 and JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 10 The landscaping works shall be carried out in full accordance with the approved details contained within the General Arrangement Plan ref. UG_1236_LAN_GA_DRW_101_P04, Hard Landscape Plan ref. UG_1236_LAN_HL_DRW_201_P04 and Soft Landscape Plan ref. UG_1236_LAN_SL_DRW_301_P05.

All planting, seeding or turfing comprised within the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following occupation of the building or completion of the development, whichever is sooner; and any trees or plants which, within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In order to achieve a satisfactory level of landscaping in accordance with policies DM1, G6, G7 and P3 of the adopted Rochdale Core Strategy, Policies JP-G8 and JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 11 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 adopted Rochdale Core Strategy, Policy JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 12 The development hereby permitted shall not be occupied until such time as the bicycle parking facilities as shown on drawing no. 25026-HFR-UB-XX-DR-A-9030 P01 Proposed Cycle Shelter have been installed as per the approved details and made available for use. The bicycle parking facilities shall be retained as such thereafter.

Reason: In order to ensure that the development encourages people to travel to the site by sustainable modes of transport, in accordance with policies T1 and T2 of the adopted Rochdale Core Strategy, Policy JP-C6 of the adopted Places for Everyone Joint Development Plan and the requirements of the National Planning Policy Framework.

- 13 Any external lighting that is installed shall be in strict accordance with external lighting scheme as indicated on drawing no. 7091-CBC-00-XX-DR-U-196005 P02.

Reason: In the interests of, amenity and to prevent nuisance to the natural environment in accordance with adopted Rochdale Core Strategy policies DM1, P3, G4 and G9, Policies JP-G8 and JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 14 No goods, materials, waste products or containers shall be stored on land outside of the boundaries of the service yard as shown on Proposed Site Plan Drawing 25026-HFR-UB-XX-DR-A-9002_P02 at any time, without the prior written consent of the Local Planning Authority.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity, in accordance with policies P3, T2 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-C7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 15 The approved electric vehicle charging point scheme as shown on the Proposed External EVC Chargers Layout ref: 7091-CBC-00-XX-DR-U-196004 P02 and the EV Charging Technical Brochure - MaxiCharger Pillar_7.4kW shall be implemented in full prior to occupation of the unit hereby approved.

Reason: In the interests of air quality management in accordance with policy T2 of the adopted Rochdale Core Strategy, Policy JP-S1 and JP-S2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 16 Within 6 months of first occupation of the development hereby permitted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include the following:

- measures to promote a choice of transport mode;
- a monitoring regime with agreed mode share targets;
- specific measures to manage staff car parking;
- a commitment to increase the provision of cycle parking should the uptake in cycle travel increase;
- monitoring procedures and mechanisms to ensure that the Plan remains effective and is reviewed within a framework approved by the Local Planning Authority.

The approved Travel Plan shall be fully implemented as approved.

Reason: In order to ensure that the development encourages travel to the site by sustainable modes of transport, in accordance with policies T1 and T2 of the adopted Rochdale Core Strategy, Policies JP-C3 and JP-C6 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 17 Noise from fixed plant shall not exceed 43 dB(A) between 07:00-23:00 and 37 dB(A) between 23:00-07:00 when measured 3.5m from the façade of the nearest noise sensitive receptors. Such noise levels are to include any rating corrections.

Reason: In the interests of the amenity of neighbouring occupiers, in accordance with Policy 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.

- 18 The unit hereby approved shall not be occupied until the acoustic barrier has been erected in full as indicated on drawing no. 25026-HFR-UB-XX-DR-A-9002 P02. The acoustic barrier shall thereafter be retained in full accordance with the approved details.

Reason: In the interests of the amenity of neighbouring occupiers, in accordance with policies 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.

- 19 The development shall be carried out in full accordance with the measures set out in the Energy and Sustainability Statement Ref: 7091-CBC-HR-RP-S-000001, to achieve the specified improvements over the building fabric and building services systems over and above the Building Regulations minimum standards to result in reduced energy demand. The development shall also include the Variable Refrigerant Flow system, utilising Air Source Heat Pump technology, along with further measures to reduce CO2 including waste facilities to encourage recycling and a reduction in waste. Within 6 months of first occupation of the development hereby permitted a verification statement shall be submitted to and approved in writing by the Local Planning Authority providing evidence of the specified measures.

Reason: In response to the climate emergency, in accordance with policy G2 of the adopted Rochdale Core Strategy, Policies JP-S1 and JP-S2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

20 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 the Statutory Condition does not apply to any permissions granted under Section 73 if permission for the original application was granted before 12 February 2024.

Approval Reason(s) (1)

- 1 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 of Decision: 15/07/2026

Melanie Hale
Head of Planning

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.