

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
PL/2026/0068	Nick Brookman	23 rd June 2026

DETERMINATION DATE (EXTENSION OF TIME)

26th June 2026

Address: Land adjacent to 83 Fielding Street, Middleton, M24 6BG

Proposal: Section 73 application to vary condition 2 (Approved Plans) of planning permission 24/00125/FUL (Erection of four no. one bedroom, self-contained apartments together with the creation of 4 new parking spaces and bin storage area) comprising the insertion of an additional first floor window, the repositioning of the building and the provision of a new landscaping scheme (Part Retrospective)

PUBLICITY	Weekly list expired?	Y	Site Notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	Y

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	No
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	APPROVE SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: RG

DATE: 23 June 2026

SITE

The application site relates to the existing car parking area associated with the parking areas for 83-87 Fielding Street which is a former two storey detached office building that now benefits from the conversion into 6 apartments under application 21/00975/FUL.

The site is bound to the north by Clough Road with residential properties on the northern and southern sides. Fielding Street lies to the east with further residential properties occupying the eastern side of the street. To the south and west is the application site for 15/00494/OUT and 21/01628/REM for up to 49 dwellings.

A small wrought iron fence bounds the northern and western boundaries on Clough Road and Fielding Street whilst a larger grey palisade fencing spans the entire western boundary.

The application site is approximately 1.2km north of Middleton town Centre and within the defined urban area.

The application site already benefits from the approval of application 24/00125/FUL which granted planning permission subject to conditions for the construction of a two storey building for the provision of 4 x 1 bedroom apartments.

PROPOSAL

This application seeks to vary condition 2 (Approved Plans) of planning permission 24/00125/FUL (Erection of four no. one bedroom, self-contained apartments together with the creation of 4 new parking spaces and bin storage area) comprising the insertion of an additional first floor window, the repositioning of the building and the provision of a new landscaping scheme (Retrospective).

The application is retrospective because the proposed development has not been built in accordance with the approved plans granted under application 24/00125/FUL. The plans submitted with application 24/00125/FUL failed to accurately portray the circumstances on site and so the building has been built outside of its approved location.

RELEVANT PLANNING POLICY

National Guidance

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

Local

Adopted Rochdale Core Strategy (CS):

DM1 General development requirements

SO2 Creating successful and healthy communities

- C1 Delivering the right amount of housing in the right places
- C3 Delivering the right type of housing

SO3 Improving Design, image and quality of place

- P1 Improving Image
- P3 Improving design of new development

SO4 Promoting a greener environment

- G1 Tackling and adapting to climate change
- G2 Energy and new development
- G7 Increasing the value of biodiversity and geodiversity
- G8 Managing water resources and flood risk
- G9 Reducing the impact of pollution, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport

- T2 Improving Accessibility

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

- JP-S1 Sustainable Development
- JP-S4 Flood Risk and the Water Environment
- JP-H1 Scale, Distribution and Phasing of New Housing Development
- JP-H3 Type, Size and Design and New Housing
- JP-H4 Density of New Housing
- JP-G6 Urban Green Space
- JP-G7 Trees and Woodland
- JP-G8 A Net Enhancement of Biodiversity and Geodiversity
- JP-P1 Sustainable Places
- JP-C5 Streets for All
- JP-C6 Walking and Cycling
- JP-C8 Transport Requirements of New Development

RELEVANT SITE AND NEIGHBOURING HISTORY

Application Reference	Description	Decision / Date
OTH/2025/1324	Application for non-material amendment to planning permission 24/00125/FUL to obscurely glaze all rear/west facing first floor windows	19 December 2025 (Approved)
25/00909/DOC	Submission of details to comply with conditions 4 (drainage), 5 (material samples), 6 (soft	22 January 2026

	landscaping) and 7 (biodiversity enhancements) on planning permission 24/00125/FUL	(Refused)
25/01000/ANM	Non-material amendment to planning permission 24/00125/FUL to amend and correct an administrative error on the decision notice relating to the approved proposed site plan	08 October 2025 (Approved)
24/00125/FUL	Erection of four No. one bedroom, self-contained apartments together with the creation of 4 new parking spaces and bin storage area	15 May 2025 (Approved)
21/01628/REM	Submission of reserved matters pursuant to outline planning permission 15/00494/OUT relating to access, appearance, landscaping, layout and scale for the erection of 43 dwellings (re-submission 21/00059/REM	24 May 2023 (Approved)
21/00975/FUL	Change of use from offices (Use Class E) to 6 no. dwellings (Use Class C3) with application of render to northeast facing elevation, alterations to fenestration on all elevations and replacement boundary treatments	22 October 2021 (Approved)
15/00494/OUT	Outline permission for the erection of 49 dwellings (all matters reserved)	18 December 2018 (Approved)

CONSULTATION RESPONSES

Highways and Engineering

No objection.

United Utilities

No objection.

Greater Manchester Ecology Unit (The GMEU)

The GMEU have no objections but asked for an update to the proposed location of the bird boxes which has now been addressed.

Environmental Health (Land Contamination)

No objection, subject to verification report being provided.

REPRESENTATIONS

Letters of notification were sent to the occupiers of surrounding buildings on 9th February 2026. In addition, a Site Notice was displayed adjacent to the application site on the 9th February 2026.

One objection was received from a member of the public which raised the following concerns:

- Siting of the building.
- Plans are scaled and measured incorrectly.
- Scale of the building.
- Building creates overshadowing and overlooking issues.

- Privacy distances.
- Tree roots from planting and landscaping.
- Proposed fencing would exacerbate outlook concerns.
- Development not in keeping with the area.

ANALYSIS

Principle of Development

The principle of the residential development of the application site has already been established through the approval of planning application 24/00125/FUL

The proposed development subject to this application is therefore accepted in principle subject to satisfying all other relevant material considerations.

Design and Appearance

Paragraph 131 of the NPPF states that *“the creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve”*. Paragraph 135 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Additionally, paragraph 139 sets out that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

The National Design Guide (NDG) states that *“The long-standing, fundamental principles for good design are that is it: fit for purpose; durable; and brings delight”*. The NDG advises that scale, appearance materiality and detailing of buildings are key components for well-designed places. The Building for a Healthy Life guidance document states that building forms and materials should be used to reflect local character.

The above considerations are largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy which ultimately require development proposals to demonstrate high quality design.

CS Policy P1 sets out that high quality design will be required in all new developments, requiring that under-used land and buildings are re-used and creating people-friendly and safe environments. CS Policy C3 requires new development to adhere to high standards of design, respecting context (scale, density, massing, height, layout) and contributing positively to the townscape. CS Policy DM1 states that all development proposals should be of a high quality design and take the opportunity to enhance the quality of the area.

The design of the proposed building is of no notable standard of design and it's appearance was considered acceptable in the approval of application 24/00125/FUL.

It was noted in the determination of application 24/00125/FUL that there would be limited room for landscaping surrounding the building. However, this was acceptable on

balance given the highly urban grain of the surrounding area. Nevertheless, an appropriately worded condition was included that required the submission of a soft landscaping scheme and its implementation prior to the proposed apartments becoming occupied. Given the current circumstances, this information has now been requested upfront and the application is accompanied by a detailed soft landscaping scheme which is proposed to be positioned to the north east and north west of the application site.

This Section 73 application also now proposes the removal of the existing palisade fencing and introduction of a new 2m high close boarded timber fence which is considered to be a significant betterment on the existing boundary treatment. The addition of the fence would provide an improved street scene.

A new window opening has also been introduced on the first floor rear elevation which serves the dining and living space. However, as approved under application OTH/2025/1324, this window is obscure glazed along with all other first floor west facing windows.

The proposed landscaping scheme is discussed in more detail below but from a design point of view it is considered that this proposal will help to mitigate any perceived impact upon biodiversity and to contribute to urban greening/biodiversity net gain.

The proposed materials consisting of Bradgate red facing brick, white k render, white upvc windows and composite doors and black fascias soffits and gutters are appropriate to the development and the existing built environment.

Overall, the appearance and character of the surrounding area is mixed with buildings varying in height and architectural style/appearance. The height and massing of the building is appropriate to its location, and it is not significantly taller or inappropriately bulkier than the adjacent or surrounding buildings. The impact of the new position of the existing building in terms of scale and massing in proximity to neighbouring properties is discussed in much more detail in the succeeding section.

It is considered that the proposals would satisfy the overarching aims and objectives set out in local and national design guidance in addition to Policies P1 and P3 and DM1 of the adopted Core Strategy, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Occupier and Neighbour Amenity

Policy DM1 of the adopted Core Strategy requires that all development proposals are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents.

Development should not affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy and development should mitigate against any impacts due to noise, dust, light and odour pollution. Policy G9 also requires that sensitive new development such as housing, are not adversely affected by existing sources of pollution such as roads and certain types of industry.

Similarly, Paragraph 135 goes on to state that planning policies and decisions should ensure that developments create places with a high standard of amenity for existing and future users.

The SPD – Guidelines and Standards for Residential Development sets out minimum space standards that should be applied to all new residential development and development which affect existing residential properties. These are:

- 21m between directly facing principal windows of habitable rooms, at an upper floor level and 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage;
- 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room; and
- 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.

The SPD advises that where these separation distances cannot be achieved, proposals should be “compatible with the density and character of surrounding development”.

Overlooking impact on No 61 Clough Road

Initially, as considered under the determination of application 24/00125/FUL, when assessed against the guidelines above, there were significant concerns that the privacy for No.61 Clough Road to the north of the application site would be severely affected by the proposed development.

Whilst the rear garden of No.61 Clough Road angles away from the rear elevation of the proposed building, No.61 Clough Road also enjoys a side rear garden which is approximately 5.7m away from the apartment building. Therefore, views from the 2nd floor proposed bedroom of the apartment furthest north would have views into this area of No.61 Clough Road.

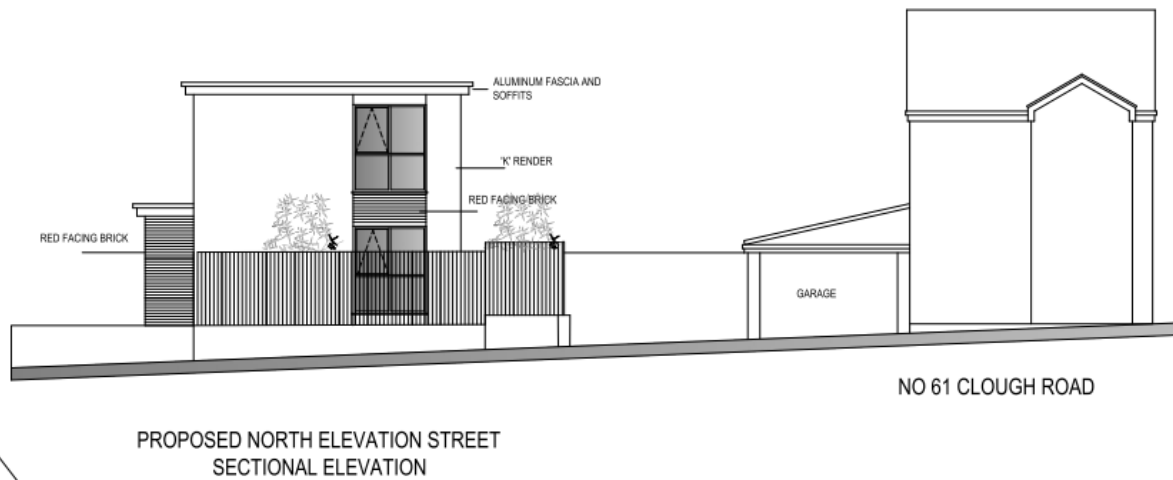
The key views from these windows were assessed in detail during a site visit. Views across a small section of the side garden of No.61 were possible, but only when experienced pressed to the window at an oblique angle. The views as enjoyed, naturally and representative of typical use of the space, would look only across front garden areas and the streetscene. It is also recognised that the view of the garden area that can be seen from the window in question, is not the sole rear curtilage of 61 Clough Road which also benefits from a larger rear area directly behind the property which cannot be seen from this window.

Given the above assessment, it is considered that whilst a view is technically possible over a partial area of No.61's side garden area, this would not be a view that would be visible from any typical use and enjoyment of the new apartment. Within the urban area, and as could be found between other nearby properties, such views between properties do exist at oblique angles but do not represent typical views enjoyed in the day-to-day use of the properties and is not considered to have an unacceptable impact on privacy.

Scale impact and loss of light on 61 Clough Road

Owing to the benefit of the topography of the area and Clough Road itself, No 61 Clough Road is sited at a higher ground level than the application site and therefore naturally sits above the apartment building.

The submitted street scene and section drawing below is evidence of this.



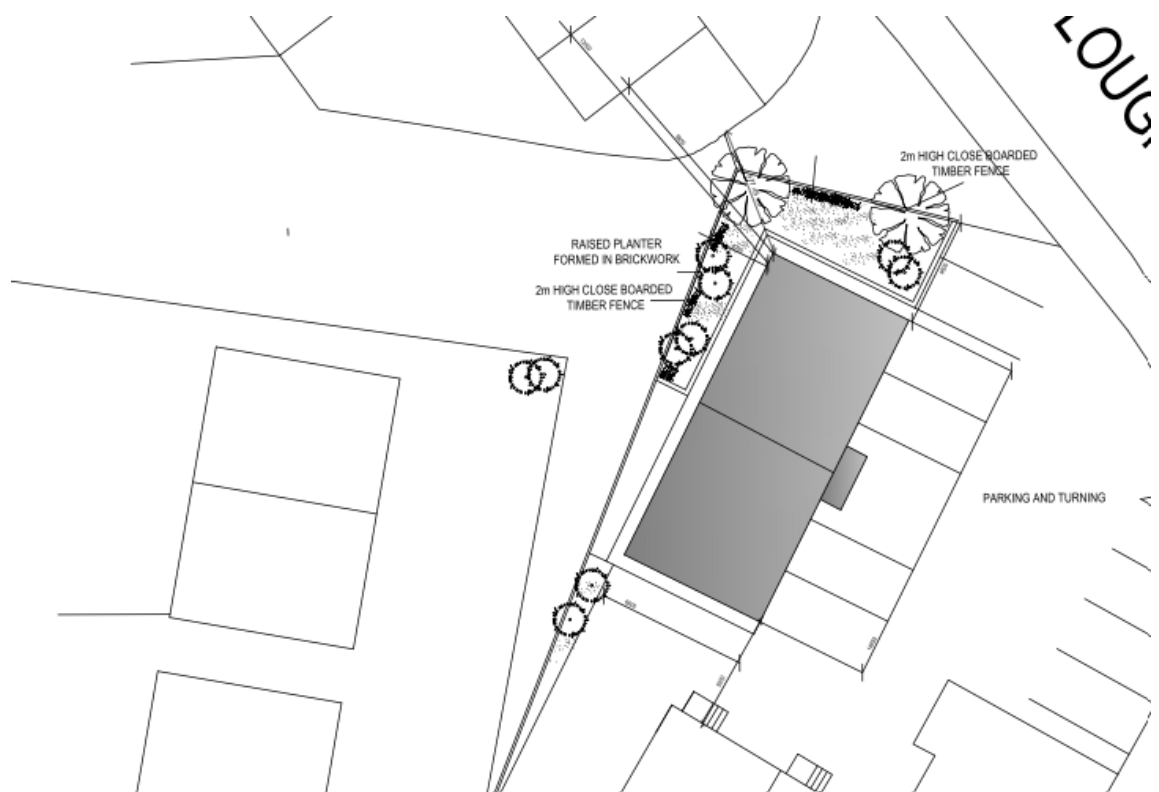
It is not disputed by Planning Officers that the apartment building is sited in close proximity to the shared boundary. However, the proposed building is sited at a lower ground level and it is orientated in a perpendicular angle from No 61 Clough Road. It is also recognised by Officers that No 61 Clough Road will have been formerly subject to a significant amount of overshadowing by foliage and vegetation which has now been removed as a result of the neighbouring residential development to the west of the application site. The apartment building in contrast to the former foliage is significantly less harmful in terms of restricting the level of daylight and sunlight that No 61 Clough Road would receive which is south west facing meaning this property would now benefit from a higher level of daylight and sunlight. The satellite imagery above clearly depicts the foliage behind No 61 Clough Road prior to its removal.

Further evidence is also provided by the photograph below which shows the position of the sun on the 16th February 2026 at approximately 12:47pm. The photograph is evidence that the new apartment building would not result in an unacceptable loss of light, even during winter months.



Privacy and overlooking impacts on development to the west

During the determination of application 24/00125/FUL, similar concerns with regards to privacy and overbearing impacts were assessed. It is acknowledged by Officers that the rear gardens of Plots 45 and 46 of the new residential development immediately to the west of the application site are within close proximity to the application site as shown by Figure 1 below. This concern stemmed from the fact that the proposed development at its nearest point, is only 1.6m away from the immediate rear boundary.



It is also recognised that the rear elevation of the proposed development would only be sited approximately 11m away from the rear elevations of Plot 45 which is significantly less than adopted local guidance. However, given the lower land level of the apartment building and the fact that all first floor windows of the apartment building on the rear west facing elevation are obscure glazed, Planning Officers do not consider that despite the non-compliance with the intended privacy and separation distances set out above, the proposed development would not give rise to a detrimental impact of privacy upon these dwelling.

Impact on existing apartment building to the south

Given the current circumstances on site, the impact of the development must now also be assessed with regards to the impact of it on the existing apartment building.

Given the inaccuracies presented in the proposed site plan submitted with application 24/00125/FUL, as built, the apartment building has now been built further forward than as portrayed. As a result, the new apartment building sits forward of some of the fenestration at first floor level of the existing apartment building. The window in question is identified by the red arrow below:



However, on assessment of the approved floor plans subject to application 21/00975/FUL which relates to the existing apartment building, the window in question only serves a gallery/landing area and for that reason the proposed development does not directly impact any habitable room as it does not disturb any window serving a principal room.

Summary

Owing to the reassessment of the development in its current position which has comprised site visits within the apartment building, outside and around the perimeter of the apartment building and from the curtilage No 61 Clough Road and the surrounding street scene, the apartment building is of an acceptable scale and height in comparison to surrounding existing development. It is lower in height than No.61 Clough Road owing to the topography of the land which rises in favour of the neighbouring property at No.61 Clough Road. Furthermore, with regards to the new dwellings at Plots 45 and 46 to the rear (west), it is not considered that the proposed development in its new location would give rise to an unacceptable loss of light or privacy for these dwellings.

Occupier Amenity

In terms of occupier amenity, the Nationally Described Space Standards (NDSS) is a technical standards document produced by the Government to ensure internal space within new dwellings is sufficient for future occupiers. Additionally, in accordance with

PfE Policy JP-H3 (Type, Size and Design of New Housing), it is a requirement for all new dwellings to comply with the nationally described space standards and be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable. These standards can be found here and any future development must adhere to the space standards: [Technical housing standards – nationally described space standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk/technical-housing-standards)

Whilst the internal floor layouts have changed slightly since the approval of application 24/00125/FUL, on assessment of the proposed floor plans, the proposed floor plans meet the NDSS by virtue of the development proposing 4 x 1 bedroom 1 person apartments.

The agent has provided figures which are illustrated on the submitted proposed floor plans but in the Planning Officers assessment some of the calculations (relating to bedroom sizes) do not appear to be accurate and Officers have made their own assessment. Nevertheless, the calculations are still NDSS compliant.

With regards to outdoor amenity space for future occupiers, as defined within the Council's Residential Development SPD residential amenity is; *'The benefit enjoyed from physical external space which is part of the private home. The level of enjoyment is dependent on a number of factors, including location, size, orientation, sounds, noise, accessibility and enclosure, and general quality of space.'*

Under paragraph 7.33 of PfE, the provision of appropriate outdoor amenity space is defined as being *'vital in delivering high quality homes that support good health'*.

The proposed development does not provide any private outdoor amenity space, however, due to the sites highly sustainable location there are opportunities to access other outdoor public amenity spaces within very close proximity to the site and further afield.

Accordingly, subject to condition, the development is not considered to impact on neighbouring or occupier amenity and the scheme is considered acceptable in accordance with CS Policies G9 and DM1 and the NPPF.

Trees, Ecology, Landscaping and Biodiversity Net Gain

Policy G7 requires that sites and features of biodiversity and geodiversity importance are given full and appropriate recognition and protection and that opportunities for enhancing biodiversity and geodiversity will be supported. It is expected that development proposals will protect and include existing biodiversity and take opportunities to promote biodiversity and create new habitats using landscaping and building and construction features wherever possible. CS Policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

The NPPF recognises the important contribution of trees to the character and quality of urban environments, and their role in mitigating and adapting to climate change. Policy JP-G2 of the adopted PfE identifies trees and woodland as vital elements of the green infrastructure network and key features of urban green spaces, which Policy JP-G8 seek to protect and enhance through conserving and managing existing trees of heritage and/or aesthetic value. Policy G6 of the adopted Rochdale Core Strategy sets out provision for enhancing green infrastructure and requires regard to local landscape character and contribute to its conservation or enhancement. Developments should avoid the loss of existing urban greenspace or features e.g. trees unless suitable

alternative provision is made, it has limited value and its development or change of use will help meet other sustainability or local regeneration objectives.

CS Policy G6 requires a replacement planting ratio of at least 2:1 and Policy G7 requires developments to protect existing biodiversity including trees and vegetation.

PfE Policy JP-G9 seeks to deliver a net enhancement of biodiversity resources through a collective of measures which are broadly aligned with the approach to BNG outlined within the Environment Act (2021), the NPPF and supporting guidance documents. The provisions of the Environment Act in respect of BNG are now a statutory requirement for planning applications and so the proposed development should achieve net gains for biodiversity via species enhancement as guided by the NPPF (paragraphs 187d and 192b) to achieve demonstrable net gain for biodiversity.

Application 24/00125/FUL was submitted before Biodiversity Net Gain (BNG) became mandatory on 12 February 2024 and for that reason the application was exempt from BNG. This Section 73 application would also remain exempt from mandatory BNG because the original application was made before the 12th February 2024.

Nevertheless, the application is still subject to Local Planning Policies referring specifically to PfE Policy JP-G8 and CS Policy G7 insofar as providing a gain or enhancement in biodiversity.

In this regard it is acknowledged that the proposed development proposes a soft landscaping scheme which would result in the planting of 10 new trees along the north and south west boundaries of the application site. The development also includes the provision of 2 new bat boxes on the south facing elevation of the apartment building and 3 new bird boxes to be incorporated into the proposed landscaping scheme.

Accordingly, subject to condition, the scheme is considered to be acceptable in accordance with Core Strategy Policy G6 and G7, PfE Policy JP-G8 and the NPPF.

Drainage

Policy G8 requires that new development does not lead to any increased form of flooding locally or further downstream, does not impede natural water and flood risk management, is not detrimental to existing or potential flood storage areas, contributes where possible to alleviating existing flood risk and is itself well protected from flood risk and ensures prudent use of water resources.

Policy JP-S4 (Flood Risk and the Water Environment) of PfE expects developments to manage surface water runoff through sustainable drainage systems and development should achieve greenfield run-off rates unless it is demonstrated to be impracticable.

The site is located within Flood Zone 1, having a less than 1 in 1,000 annual probability of flooding.

Following further investigative work by the applicant on the existing drainage infrastructure in the vicinity of the site during the course of the determination of application 24/00125/FUL, United Utilities removed their original objection subject to the imposition of a condition requiring full details of the arrangements for the disposal of foul and surface water. This information has been provided as part of this application and United Utilities have no objection to the proposed drainage arrangements.

Therefore, subject to condition, the proposed development would accord with adopted CS Policy G8, saved UDP policy EM/7, PfE Policy JP-S4 and the NPPF.

Highways

Policy T2 of the CS requires development to comply with the Council's car parking standards and policy DM1 requires that development provides satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements, taking into account the proposed use and location.

Policy JP-C8 of PfE requires new development to be located and designed to enable and encourage walking, cycling and public transport use to reduce the negative effects of car dependency and help deliver high quality, attractive, liveable and sustainable environments.

Paragraph 115 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Overall, the development is not considered to have an adverse impact on highway safety and would not generate a level of additional traffic which would have a detrimental impact on the safe and efficient operation of the immediate local highway network, or strategic routes. Highways Services have raised no objections and the development is considered acceptable in accordance with CS Policies T2, Policy JP-C8 of PfE and the NPPF.

Land Contamination

Core Strategy Policy G9 requires that any risks arising from contaminated land are identified and that any appropriate actions are taken.

A Stage 1, 2 and 3 Geo-Environmental Audit consisting of a Preliminary Risk Assessment, Site Investigation and Remediation Statement has been submitted with the application and this has been reviewed by the Council's Land Contamination Officer who agrees with their findings and conclusions.

The Phase 4 (Verification) requirement remains outstanding and will be secured by condition prior to first occupation of the development hereby permitted. The Verification measures must be carried out in accordance with section 3.5 of the submitted Geo-Environmental Audit.

Accordingly, it has been confirmed through consultation with the Council's Environmental Protection team that subject to condition, the proposed development is acceptable with regards to CS Policy G9 and the Framework.

Conclusion

In summation, the application site is located within a sustainable location and this application is considered to make a positive albeit minor contribution to the housing supply and local economy within the borough. It is therefore considered that subject to the conditions included below, the development as a whole is acceptable and in accordance with the adopted Rochdale Core Strategy, PfE and the NPPF.

RECOMMENDATION

Grant subject to the following conditions:

1. This permission relates to the following plans and documents:
 - Location Plan
 - Proposed Site Plan Drawing No 02 Rev C
 - Proposed Elevations Drawing No 11
 - Proposed 'Detailed Plans' Floor Plans Drawing No 10
 - Proposed Site Plan, Landscaping and Boundary Treatment Plan Drawing No 101 DOC Rev F
 - Drainage Plan and Details Drawing No dwg-tjba-vrajitoru-83-fielding-st-130524

and the development shall be carried out in accordance with these details hereby approved unless otherwise required by the conditions below.

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 and the National Planning Policy Framework.

2. Prior to first occupation of the development hereby approved, the drainage schemes as illustrated on Drainage Plan and Details Drawing No dwg-tjba-vrajitoru-83-fielding-st-130524 shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

3. The development shall proceed in strict accordance with the approved landscaping scheme as shown on Proposed Site Plan, Landscaping and Boundary Treatment Plan Drawing No 101 DOC Rev E. All landscaping and planting forming part of the approved scheme shall be undertaken in the first planting season following substantial completion or first use of the development (whichever is the sooner)

Any trees, plants or shrubs which within a period of 5 years from the completion of the development 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: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policy G7 of the adopted Rochdale Core, Policies JP-P1 and JP-G2 of the Places for Everyone Plan and the NPPF.

4. No part of the development hereby permitted shall be occupied until the scheme of biodiversity enhancements as shown on Proposed Site Plan, Landscaping and Boundary Treatment Plan Drawing No 101 DOC Rev E have been carried out in full.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

5. The development hereby approved shall be constructed to achieve the following internal and external noise levels:
- 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
 - 30dB(A) Leq 8 hour in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
 - 35 dB(A) Leq (16 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;
 - 40dB(A) Leq (16 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.

Upon completion and prior to occupation of the apartment to which it relates, verification testing must be carried out, submitted and approved in writing by the Local Planning Authority to ensure the internal and external noise levels have been achieved.

Reason: To ensure a satisfactory standard of residential amenity with Policies DM1 and G9 of the Core Strategy, Policy JP-P1 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 verification report demonstrating that the approved remediation strategy as set out in Section 3 of the Geo-Environmental Audit referenced rep-tjba-vrajitoru-83 fielding st-Phs1_2_3Env-090426.docx has been implemented and 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.

BIODIVERSITY NET GAIN

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 original application was submitted before Biodiversity Net Gain (BNG) became mandatory on 12 February 2024 and for that reason the proposed development is exempt from BNG.

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.