

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

APPLICATION REFERENCE: 25/00087/VRCON

Applicant

Mr Adil Haji, HJK Construction
2 Dalton Court
Commercial Road
Blackburn
Lancashire
BB3 0DG

Part I - Particulars of Application

Proposal: Section 73 application to remove condition 9 (unadopted road maintenance arrangements) of planning permission 21/01628/REM
Location: Land Off Fielding Street Middleton Rochdale M24 6BG
Valid On: 31 January 2025

DECISION: REFUSE PERMISSION**Refusal(s) (2)**

- 1 Condition 9 is necessary to ensure the appropriate future management and maintenance of the estate roads within the approved development, in the interest of highways safety. Adoption of the estate roads by Rochdale Borough Council via a s38 agreement has not been secured at this time.

Approval of the request to remove condition 9 would therefore be contrary to the objectives of policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework, and unacceptable in the terms of these policies.

- 2 The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable, and it was therefore not possible to approve the application.

Date of Decision: 31/07/2026

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.

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If you are unhappy with the decision to refuse permission, you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. Details of how to appeal can be obtained from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or via their website at <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>.