

Officer Report

Case Reference: NOT/2026/0716
Location: EDGEGATE FARM, HUDDERSFIELD ROAD, MILNROW,
NEWHEY, OL16 3TJ
Proposal: Prior notification for change of use from Agricultural building
to 4 dwellinghouses (Use Class C3)
Recommendation: Approve with Conditions
Officer: Majid Mir

SITE

The application relates to a detached barn constructed out of block work and corrugated steel. The barn is located to the northeast of three residential properties. There are also numerous other structures located in the vicinity of the barn.

The site is located in the Green Belt and is accessed via narrow lanes from Huddersfield Road.

PROPOSAL

This application seeks prior notification for the change of use of the agricultural building to four dwellings. The application proposes alterations to the existing structure through the provision of a new external elevation, new windows and doors and the provision of services. Unit 1 and 2 would both be one bedroom and be provided with one parking space each, whilst Unit 3 and 4 would be two bedroom and provided with two parking spaces each. Landscaping will also be proposed to the front and rear.

Internally, it is proposed that new walls would be constructed to subdivide into four properties, and a new first floor is to be constructed for all four properties. The properties will be partitioned with rooms on both the ground floor and first floor. Dwellings one and two which will have one bedroom each will have a mezzanine floor.

The proposal is the same as was previously approved under application 22/01189/PRA56. No work has been undertaken, and the permission has since lapsed.

RELEVANT PLANNING POLICY AND LEGISLATION

National Guidance

The Town and Country Planning (General Permitted Development) (England) Order

2015 (as amended)

RELEVANT SITE HISTORY

24/00118/DOC - Submission of details to comply with condition 1 (Phase 1 Preliminary Risk Assessment) and condition 2 (230106_A2_3000_Proposed Surface and Foul Drainage Plan) of planning permission 22/01189/PRA56 (Prior approval for change of use from agricultural building to 4 no. dwellinghouses (Use Class C3) including installation of new windows and doors). Decision: Request Completed.

22/01189/PRA56 - Prior approval for change of use from agricultural building to 4 no. dwellinghouses (Use Class C3) including installation of new windows and doors. Decision: Approve with conditions.

22/00071/PRA56 - Prior approval for change of use and conversion of agricultural building to 3 no. dwellinghouses including partial demolition of building, along with associated alterations, parking and landscaping. Decision: Refuse. Reason for refusal:

Insufficient evidence has been provided to demonstrate that the building to be developed under Class Q can be reasonably converted within the provisions of criterion (i) into dwellinghouses. The National Planning Practice Guidance sets out that it is not the intention of the permitted development right to include the construction of new structural elements for the building and insufficient evidence has been provided to demonstrate that this would not be the case. The proposal does not therefore comply with the above requirement and cannot be considered to benefit from permitted development rights under Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

02/D40518 - Erection Of Livestock Building. Decision: Approve with conditions.

CONSULTATION RESPONSES

Greater Manchester Fire Service

No response to date.

Highways

The development will not generate any significant volume of traffic. The site is accessed along existing farm tracks. There is adequate parking onsite for a development of this nature, There is no changes to the existing highways network proposed or required as a part of this proposal. We expect refuse collection to continue as it currently operates. We have no concerns regarding emergency access to this site. We have no new road safety concerns as a result of this proposal.

Environmental Control (Landfill Gas)

Summary: The report submitted is acceptable. Recommend addition of two conditions.

Environmental Health (Noise/Odour)

No response to date.

LLFA/Drainage

No response to date.

REPRESENTATIONS

Letters of notification have been sent to neighbouring properties, and the application has been publicised with site notices placed within the vicinity of the site. No representations have been received.

ANALYSIS

The application is for prior notification for the change of use of an agricultural

building to a dwellinghouse (Use Class C3) under Schedule 2, Part 3, Class Q (agricultural buildings to dwellinghouses) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Part Q relates to development consisting of—

(a) a change of use of—

(i) a building that is part of an established agricultural unit and any land within that building's curtilage, or

(ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage,

to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,

(b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or

(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

Development not permitted

Q1. Development is not permitted by Class Q if—

(a) in the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit—

(i) on 24th July 2023, or

(ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins,

“Agricultural Unit,” is not defined in article 2(1) of the GPDO, however paragraph X of Part 3 defines an “established agricultural unit” as “agricultural land occupied as a unit for the purposes of agriculture” (and which was in use for that purpose on or before the relevant qualifying date under Classes Q, R and S respectively).

Furthermore, in Part 6, “agricultural unit” is defined in paragraph D.1 as “agricultural land which is occupied as a unit for the purposes of agriculture, including —

(a) any dwelling or other building on that land occupied for the purpose of farming the land by the person who occupies the unit, or

(b) any dwelling on that land occupied by a farmworker

The supporting report states that the building is located within an established agricultural unit and has been used for agricultural purposes since its construction in 2005. It has been used to house livestock and for the storage of agricultural machinery and animal feed/bedding etc.

The building was granted planning permission on 29 November 2004 for a ‘livestock building’. No additional evidence has been provided to the LPA that the building was used solely for an agricultural use as part of an established agricultural unit in relation to the above requirements. It is noted that the building appeared to be used for agricultural purposes in 2022. Additionally, there is also no evidence before the Council to dispute the applicant’s claim that the building was not solely in agricultural use on the date specified. In the absence of any evidence to disprove that the building was in agricultural use on the 24th July 2023, it is considered that the application satisfies this requirement of the GPDO in this respect.

(b) in the case of a site that was (but is no longer) part of an established agricultural unit—

(i) the site was part of an established agricultural unit on 24th July 2023,

(ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or

(iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose,

The application form has stated that the site is currently part of an established agricultural unit and was a part of an established agricultural unit on 24 July 2024. As such, and paragraph (b) does not apply.

(c) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeds 150 square metres,

The proposed floor plans indicate that there will be four dwellings with floor space area of between 99sqm and 132sqm. None of the proposed dwellinghouses would exceed 150 sqm.

(d) the development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) of this Part) would result in—

(i) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 10, or

(ii) the cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres,

The proposed plans indicate that total number of proposed dwellinghouses within Use Class C3 would be four and the total floor space of the proposed dwellinghouses would be approximately 462sqm. The proposal would therefore not exceed the limits as set out in section (d).

(e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained,

The supporting report and application form states that the site is not occupied under an agricultural tenancy agreement. No evidence has been provided to indicate that the site is currently occupied under agricultural tenancy.

(f) less than 1 year before the date development begins—

(i) an agricultural tenancy over the site has been terminated, and

(ii) the termination was for the purpose of carrying out development under Class Q,

unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use,

An agricultural tenancy over the site has not been ended less than 1 year before the proposed date to begin development. There is no evidence available to suggest otherwise.

(g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins,

No development has been carried on the established agricultural unit during the period which is 10 years before the date development under Class Q begins. There is no evidence available to suggest otherwise.

(h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than—

(i) extension of the building allowed by paragraph Q.1(i);

(ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i),

The development would not result in the external dimensions of the building extending beyond the external dimensions of the existing building.

(i) the development under Class Q(b) would result in an extension that—

(i) has more than one storey,

(ii) is sited anywhere other than to the rear of the existing building,

(iii) extends beyond the rear wall of the existing building by more than 4 metres,

(iv) has eaves the height of which exceed the height of the eaves of the existing building,

(v) is higher than whichever is the lower of—

(aa) the highest part of the roof of the existing building, or

(bb) a height of 4 metres above the ground,

(vi) extends beyond a wall that forms a side or principal elevation of the existing building, or

(vii) would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and—

(aa) the hard surface was not provided on the land on or before 24th July 2023, or

(bb) where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins,

The application does not propose an extension.

(j) the development under Class Q(c) would consist of building operations other than—

(i) the installation or replacement of—

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services,

to the extent reasonably necessary for the building to function as a dwellinghouse, and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j)(i),

The National Planning Practice Guidance outlines that building works are allowed under the change to residential use. The permitted development right under Class Q assumes that the agricultural building is capable of functioning as a dwelling. However, it recognises that for the building to function as a dwelling some building operations which would affect the external appearance of the building, which would otherwise require planning permission, should be permitted. The right allows for the installation or

replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations.

The NPPG guidance adds that ‘it is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right’ (Paragraph: 105 Reference ID: 13-105-20180615). In effect, it is only when the existing building is already suitable for conversion to residential that the building would be considered to have this permitted development right as it is not the intention of the right to allow rebuilding work beyond what is reasonably necessary for a conversion.

Internal works are not generally development. The NPPG adds that ‘for the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q.’

This requirement is clarified further through the case law *Hibbitt v. SSCLG* [2016] EWHC 2853 (*Hibbitt case*). The judgement found that an agricultural building must be capable of conversion to residential use without operations that would amount to complete or substantial rebuilding of the original building. Whether or not a development goes beyond the scope of conversion is a matter of fact and degree and requires an element of judgement.

The application is supported by a structural report and planning statement. The planning statement states that ‘the plans show the introduction of a number of window and door openings within the building which are considered reasonably necessary for the building to function as dwellinghouses. Much of the existing blockwork and cladding to the walls and roof will be retained. Internally, floors will be introduced to enable accommodation to be provided over two storeys, as permitted by Paragraph 105 (Ref ID: 13-105-20180615) of the Government’s Planning Practice Guidance’.

The application has also been supported by a Structural Inspection Report which states that:

“The main alterations for this development will include the following:

- Alterations to the structural openings to form windows**
- Additional windows**
- Alterations to the mezzanine floor to include staircases**
- Additional area of mezzanine floor**
- Introduction of separating walls**

The alterations to the external elevations can be made by altering the structural support to the cladding. This is a minor structural alteration.

The alterations to the mezzanine floor will require additional timber joists to form the openings within the mezzanine floor to cater for the new stair opening.

The introduction of separating walls can be constructed off the existing concrete slab.”

In light of the above it is considered that sufficient information has been provided with the application to demonstrate that the building is capable for conversion. It is clear works need to be undertaken to make the building suitable for habitation, however, works can be undertaken without any structural works that would fall outside of the development listed within the class.

(k) the site is on article 2(3) land,

The site is not on article 2(3) land.

(l) the site is, or forms part of—

(i) a site of special scientific interest;

(ii) a safety hazard area;

(iii) a military explosives storage area,

The site does not form part of a SSSI, safety hazard area or a military explosives storage area.

(m) the site is, or contains, a scheduled monument,

The site is not, nor does it contain, a scheduled monument.

(n) the building is a listed building,

The building proposed to be developed under Class Q is not a listed building.

(o) the existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), would not be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015 as read with the notes dated 19th May 2016 which apply to it, or

The submitted plans show that four dwellings will be constructed. All four dwellings will be set over two floors with dwellings one and two having a mezzanine floor. The internal floor spaces of dwellings one and two will be 99sqm and the floor space for dwellings three and four will be 132sqm. Dwellings one and two would have a shared lounge and kitchen on the ground floor and one bedroom, wardrobe and bathroom on the first floor.

The NDSS requires one bedroom dwellings with one bed space set over two storeys to be a minimum of 58sqm including 1.5sqm of built-in-storage. For two bedroom dwellings set over two floors, the NDSS requires a minimum of 70sqm for three bed spaces and 79sqm for four bed spaces. A minimum of 2sqm of built-in-storage is also required for all two bedroom dwellings. Additionally, the NDSS sets out minimum floor space requirements for double (two bed spaces) and single (one bed space) bedrooms. A single bedroom needs to have minimum floor space area of 7.5sqm and be at least 2.15m wide. A double bedroom needs to have a minimum floor space area of 11.5sqm with one twin bedroom being at least 2.75m wide and every other double bedroom being at least 2.55m wide. The plans suggest that the minimum standards set for the gross internal floor areas and floor area for the proposed bedrooms would exceed the minimum limits set out in the NDSS.

It is however noted that the NDSS adds that the minimum floor to ceiling height must be 2.3m for at least 75% of the gross internal area. No details have been provided of the floor levels of the proposed dwelling. However, it is noted that the height to the ridge of the building is approximately 5.5m and to the eaves it is 4m. The building is approximately 25m in length and 12.1m wide. The available information would suggest that the building is capable of complying with the Nationally Described Space Standards (NDSS).

(p) the building does not have suitable existing access to a public highway.

There is an access lane that forms a part of a public right of way that runs from the application site to the public highway. As such, it is considered that there is suitable existing access to a public highway.

Prior approval Matters

Paragraph Q2.(1) states that 'where the development proposed is development under Class Q(a) together with development under Class Q(c), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development,
- (b) noise impacts of the development,
- (c) contamination risks on the site,
- (d) flooding risks on the site,
- (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,
- (f) the design or external appearance of the building, and
- (g) the provision of adequate natural light in all habitable rooms of the dwellinghouses,

and the provisions of paragraph W (prior approval) of this part apply in relation to that application.

Transport and highways impacts of the development

Policy TR6 (assessing transport impacts) of the NPPF states that ‘development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.’

The application site is accessed via an access lane/farm track that is also used by the neighbouring properties. The track is also identified as a public right of way. The effected public rights of way would be MilFp14a, MilBp15 and MilBp16. It is noted that the proposal is the same as the previous scheme that was approved through application 22/01189/PRA56.

It was concluded that the proposal would not affect the rights of way that lead to the buildings and continue along a track past the buildings. However, the officer raised concerns that the routes would be used to bring materials and machinery to undertake the development work. It is considered appropriate to an advisory noted with any decision notifying the applicant that these routes should remain open and available prior, during and following the development. Machinery, vehicles and materials should not be stored on the routes, any damage to the surface should be repaired as soon as possible. Should the routes be required to be closed during the works a temporary closure order must be applied for and completed before any closure, a diversion must be provided.

The highways department raised no objection to the proposal and raised no new road safety concerns as a result of the proposal. The highways department concluded that the proposal would not generate a significant volume of traffic and there is adequate parking onsite. Furthermore, the highways department did not anticipate any concerns in regards to emergency access or refuse collection from the site.

As such, the proposal is considered to be acceptable in regard to the impact of the proposal on transport and highways.

Noise impacts of the development

Policy P3 (living conditions and pollution) of the NPPF states that development proposals should provide healthy living conditions for occupiers and users in terms by avoiding exposure to levels of noise which would have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions. Paragraph: 003 (reference ID: 30-003-20190722) of the NPPG states that ‘plan-making and decision making need to take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.’

No Noise Impact Assessment has been submitted with the application. The site is relatively remote. The immediate area is primarily agricultural in nature. It is therefore considered that the applicant property would not be directly affected by any discernible noise pollution from the surrounding land uses. Conversely, it is not considered that the proposed use of the application building as a residential dwelling would have any undue impact on surrounding uses by virtue of the use of the properties.

Contamination risks on the site

Policy P2 (ground conditions) of the NPPF states that sites proposed for development should be suitable for their proposed use taking into account ground conditions, including contamination (whether due to natural hazards or current and former activities such as mining or fuel storage), and the extent to which any such risks can be mitigated, and the potential impacts on the natural environment arising from remediation. Policy P2 adds that adequate site assessment information, prepared by a competent person, should be available to inform these considerations and that any remediation should, as a minimum, not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

Furthermore, the policy emphasises that the responsibility for securing a safe development rests with the developer and/or landowner.

It is noted that the proposal comprises of the renovation and change of use of an agricultural building to residential dwellinghouses. The application has been accompanied by a Phase 1 Preliminary Risk Assessment, a Phase 2 Intrusive Site Investigation and Phase 3 Remediation Options Appraisal.

Results of soil testing from the Phase 2 Intrusive Site Investigation suggest that sampled made ground from the site would be classified as Hazardous. The reports identified that Polycyclic Aromatic Hydrocarbons (PAH) concentrations exceeded the residential with homegrown produce screening values in samples taken from shallow made ground at the southwest and deeper made ground at the southeast, and Chrysotile asbestos was also identified in shallow made ground at the southeast. It was therefore concluded that the risk to residential end users is high.

The report also identified that the Total Petroleum Hydrocarbons (TPH) concentrations were also elevated and exceeded UK Water Industry Research (UKWIR) thresholds for PE water pipes. Therefore, the report concluded the risk to residential end users through permeation into drinking water pipes was considered to be moderate and barrier pipes were considered necessary.

Additionally, due to the moderate to high organic matter content and depth of made ground identified at the site, the report concluded that there was a low to moderate risk to residential end users from ground gas permeation into the building.

The report concluded that the most appropriate remediation option is via source management and pathway interruption by way of excavation and off-site disposal of contaminated soil and made ground and containment through the placement of a clean cover layer. The report also recommended that following the implementation of remediation work, a Phase 4 Verification

Report should be produced, to ensure remediation has been appropriately implemented, and the site is safe for its proposed use.

The Council's Public Protection Officer assessed the proposal and stated that the report submitted is acceptable. The Public Protection Officer recommended conditions requiring works taking place in accordance with the recommendations set out within section 5 of the Phase 3 Remediation Options Appraisal and details of the design of the gas ingress prevention measures as outlined within the Phase 3 Remediation Options Appraisal.

Subject to the addition of the conditions, the proposal is considered to be acceptable in regard to contamination risks on the site. Flooding risks on the site

Policy F7 (ensuring development is safe from flooding) of the NPPF states that development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere. Policy F8 (sustainable drainage systems and watercourses) adds that 'development proposals which could affect drainage on or around the development site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, in ways which are proportionate to the nature and scale of the proposal. The systems employed should provide multifunctional benefits where possible, facilitating improvements in water quality, biodiversity and amenity.'

The site is located within a Flood Zone 1 and is not identified as being within a Critical Drainage Area. A drainage strategy and soakaway test results have been submitted to support the application. At the time of writing, no consultation response has been received from the Council's Drainage Officer. It is noted, however, that the drainage plan currently under consideration for this application is the same as that which was previously submitted to support the discharge of condition application. The Drainage Officer advised that he submitted details failed to demonstrate that the proposed drainage field would be located an appropriate distance from any buildings. Furthermore, the information submitted provided insufficient detail in relation to the proposed septic tank, percolation testing, and drainage field arrangements.

Whilst these shortcomings mean that the detailed design and functionality of the foul drainage system have not been fully demonstrated, it is acknowledged that such matters would be subject to assessment and approval through the building regulations process.

Given the site is located within Flood Risk Zone 1, the absence of any identified flood risk constraints, and having regard to the scope of assessment under Class Q of the legislation, it is considered that there is sufficient evidence to conclude that the proposal would not give rise to unacceptable flood risk or drainage impacts.

Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order

'Impractical' or 'undesirable' are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would "not be sensible or realistic", and undesirable reflects that it would be "harmful or objectionable".

When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval.

It is considered that due to the nature of the plot and the surrounding area, whilst functionally isolated, given the proximity of surrounding dwellings, a new dwelling would not have an adverse issue.

The design or external appearance of the building

The design of the proposal is the same as application 22/01189/PRA56. As noted by the planning officer when assessing the design of the application, 'the proposed development would see the addition of glazed openings to the front, side and rear of the property that would not be keeping with the host building but it is considered that design of the fenestration would not detract from the visual amenity of the building.' On the whole, the proposed conversion of the building is considered to have relatively low impact on the external appearance of the structure and is not considered to be so significant to have an adverse effect.

The provision of adequate natural light in all habitable rooms of the dwellinghouses

All habitable rooms will have access to an external window. Additionally, there are no other buildings or structures within the vicinity of the building and therefore restricting access to the light. It is therefore considered that all the habitable rooms would receive an adequate amount of natural light.

Recommendation: Approve with Conditions

Condition(s) (2)

- 1 The development shall be carried out in strict accordance with the recommendations set out within section 5 of the document 'Phase 3 Remediation Options Appraisal' (by Oakshire Environmental, dated 31 January 2026).

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An updated investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which shall be submitted to and approved in writing by the Local Planning Authority.

Prior to first occupation of the dwellings, a verification report shall be 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.

- 2 Prior to commencement of any groundworks or foundation works, full details of the design of the gas ingress prevention measures as outlined within the document 'Phase 3 Remediation Options Appraisal' (by Oakshire Environmental ,dated 31 January 2026) shall be submitted to and approved by the Local Planning Authority. All gas ingress prevention measures work shall be undertaken in accordance with the approved documents.

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.

For the avoidance of doubt, this decision relates to the following plans:-

- 1
- Site Location Plan
 - Layout Plan – As Existing. Drawing number: 84 'C'
 - Layout Plan – As Proposed. Drawing number: 84 'D'
 - Floor Plans and Elevations – As Existing. Drawing number: 84
 - Floor Plans and Elevations – As Proposed. Drawing number: 84 'B'

- 2 The applicant's attention is drawn to the Public Right of Ways that are within the vicinity of the site which must be kept clear of obstruction at all times in order that it remains available for to be used by members of the public. Machinery, vehicles and materials should not be stored on the routes, any damage to the surface should be repaired as soon as possible. For further information, please contact the Public Rights of Way Officer.

- 3 All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). Should bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement.