ROCHDALE
BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Full Planning Application

APPLICATION REFERENCE: 24/00317/FUL

Applicant
Mr Martin Hall
(Castleton Property Company Ltd)
115 St John Street
Lees
Oldham OL4 3DJ

Part I - Particulars of Application

Proposal: Construction of three residential dwellings with associated car parking and landscaping works
Location: Land Between 5 And 7 Innings Way Rochdale OL11 3DE
Valid On: 2 May 2024

DECISION: GRANT PLANNING PERMISSION SUBJECT TO THE FOLLOWING CONDITIONS:

Condition(s) (9)

1 The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development shall be carried out in accordance with the following drawings and documents hereby approved:

- Location Plan IW-LP-01 RevA
- The Holly House Type IW-HOL-01 RevA
- External Works Layout IW-EW-01 RevB
- Hard and Soft Lanscaping Plan IW-HSLP-01 RevA
- Planning Layout IW-PL-01 RevA
- Cross Sections IW-CS-01
- Fence Detail IW-FD-01
- Street Scene IW-SS-01

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.

3 No development (including any demolition, site clearance or preparation works) shall take place until such time as an updated Tree Protection Plan and Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority.

Any measures identified within the Plan or Statement shall be installed in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction' prior to any works taking place.

The necessary protection measures shall be retained throughout the construction phase of the development and no work, excavation, tipping, or stacking/storage of materials shall take place beyond such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies P3, G1, G6 and G7 of the adopted Rochdale Core Strategy Policies JP-P1, JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

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

4 No development shall commence until a detailed Badger Mitigation Scheme has been submitted to and approved in writing by the Local Planning Authority the scheme shall be based upon the recommendations and mitigation measures contained within the submitted Badger Survey/Mitigation Statement and shall include:

a) Measures for the protection of badgers during site clearance and construction works;

b) Details of any exclusion, closure or disturbance of badger setts, including licensing requirements where applicable;

c) Details of protective fencing and exclusion zones to be established around retained setts;

d) A timetable for the implementation of all mitigation and monitoring measures; and

e) Details of ecological supervision during works where required.

The approved scheme shall be implemented in full and retained thereafter in accordance with the approved details.

Reason: To safeguard Badgers and their habitat in accordance with Policies JP-G8 and JP-D6 of the Places for Everyone Joint Development Plan and the requirements of the NPPF.

Reason for pre commencement: The construction works will threaten the badgers and their habitat, the details will need to be secured prior to commencement of development.

5 The development hereby approved shall be carried out in accordance with the approved documents 'Remediation Strategy, Innings Way, Castleton ref 17-011-L-1 dated 24th August 2023' and ' Preliminary Summary Letter – Geo – Environmental Site Assessment dated 26th July 2023'.

No part of the development shall be occupied until a validation report has been submitted to and approved in writing by the Local Planning Authority.

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

6 No plot shall be occupied until boundary treatments and retaining walls relating to that plot have been constructed in accordance with the details set out on the approved plans. Any structures which are installed shall retained thereafter.

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

7 No plot shall be occupied until such time as the hard and soft landscaping works relating to that plot have been carried out in accordance with the details set out on the plan Hard and Soft Landscaping Plan ref. IW-HSLP-01 rev.A dated Dec.23.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced

within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

8 Any areas of hardstanding installed pursuant to condition 7 of this permission shall be constructed so that they are permeable unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of ensuring the satisfactory drainage of surface water in accordance with Policies G8 and DM1 of the adopted Rochdale Core Strategy, Policy JP-S4 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

9 The development hereby approved shall be constructed in accordance with the details of materials contained within the application form.

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

Approval Reason(s) (1)

1 The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Date of Decision: 15/10/2026

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.

Your attention is drawn to the following (1)	
1	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 Council. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply. Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition. 1. The application for planning permission was made before 12 February 2024. 2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies. 3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

	(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024. 4. The permission which has been granted is for development which is exempt being: 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where: i) the application for planning permission was made before 2 April 2024; ii) planning permission is granted which has effect before 2 April 2024; or iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii). 4.2 Development below the de minimis threshold, meaning development which: i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric). 4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building. 4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee). 4.5 Self and Custom Build Development, meaning development which: i) consists of no more than 9 dwellings; ii) is carried out on a site which has an area no larger than 0.5 hectares; and

	iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015). 4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013. *original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions. For the purposes of paragraph 13 (a) above, a biodiversity gain plan is a plan which: (a) relates to development for which planning permission is granted, and; (b) specifies the matters referred to in sub-paragraph 14(2) below: The matters are: (g) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat; (h) the pre-development biodiversity value of the onsite habitat; (i) the post-development biodiversity value of the onsite habitat; (j) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development; (k) any biodiversity credits purchased for the development; and (l) any such other matters as the Secretary of State may by regulations specify.

Notes

1 The decision is for planning purposes only and for no other. It does not grant approval under any other regulatory regime, including the building regulations. Separate approvals may be required.
2 This permission does not give any legal right to carry out the development on, over or under land owned by or contrary to the rights of another person. You

are advised to seek independent legal advice Your attention is also drawn to the Party Wall Act.

3 If you are unhappy with the decision to grant permission subject to conditions 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.

4 If permission to develop land is granted subject to conditions, whether by the Council or by the Secretary of State and you, as owner of the land, claim that it has become incapable of reasonable beneficial use, you may serve a Purchase Notice on the Council requiring the Council to purchase your interest in accordance with the provision of Part IV of the Town and Country Planning Act 1990.

5 Some conditions attached to a grant of permission may require you to submit details and/or information before you start work. Please note that we aim to deal with these requests within 8 weeks. There is a fee for 'approval of details reserved by a condition'. These fees are set by Government and the current level can be found at: https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1.