

Report to Planning and Licensing Committee



Date of Meeting	21 January 2021
Portfolio	Councillor John Blundell, Cabinet Member for a Thriving Economy
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Public/Private Document	Public

Application: 19/01358/FUL	Township: Rochdale	Ward: Norden
Appeal Reference: APP/P422/W/20/3256387		Decision level: Delegated
Site Address: Land at Higher Birtle, near junction of Birtle Road and Scotland Lane, Birtle, Rochdale		
Proposal: Erection of stable block with associated hardstanding and manure store		
Applicant: Ms Donna Smith		Agent: Mr. Steven Hartley
Planning Inspectorate Decision: Appeal Allowed – 30 October 2020		
<ul style="list-style-type: none"> – The appeal resulted from the Council’s failure to determine the planning application within the prescribed period. – The Inspector noted that jurisdiction to issue a decision on the application was taken away from the Council when the appeal was lodged, but that it would have approved the application had it been empowered to do so. – Amendments had been secured to make the proposed development acceptable, notably in respect of materials finish, and additional information had been sought in respect of drainage; full and adequate details of which were not forthcoming. – The Inspector broadly agreed with the Council’s assessment of the development proposal and agreed for the need for a pre-commencement drainage condition to be applied, albeit one which is less robust than that recommended by the Council’s Drainage Officer. – The appeal was allowed and planning permission granted as per the recommendation of the Council, subject to conditions in respect of submission of materials and full drainage details. – A separate application for the full costs of the appeal to be awarded to the appellant was allowed by the Inspector on the basis that ‘no detailed or firm evidence’ was provided to account for the delay in reaching a decision. – The Inspector did, however, refer to correspondence indicating that the Council were engaging with the applicant in discussions regarding a pre-commencement condition to secure drainage details and that stated that it was ‘clear from the evidence that the application was due to determined imminently and an Extension of Time was sought by the Council’. – The Inspector did not refer to the amendments that had been secured to make the development acceptable and made no assessment of whether the appeal could have been avoided altogether. 		