



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/00431/HYBR

Name and address for correspondence:	Applicant name:
Victoria Welch WSP 8 First Street Deansgate Manchester M15 4RP	Kellen Homes Ltd

Part I - Particulars of Application

Date of Application: 14 June 2023

Proposal:	Full application for residential development for 191 dwellings including access, landscaping, open space together with erection of sub-station and foul water pump station
Location:	Castleton Sidings , Heywood Road , Rochdale

Part II - Particulars of decision

The Rochdale Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **Granted subject to conditions** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and subject to the following condition(s):

Conditions and Reasons

Time

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).

Plans

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

- Location Plan (ref: KH003-A-000 Revision C)
- Site Layout Plan Composite (ref: KH003-A-100 Revision D)
- Site Layout Plan (ref: KH003-A-100 Revision D)
- Materials Plan (ref: KH003-A-200 Revision C)
- Boundary Treatments Plan (ref: KH003-A-300 Revision C)
- Waste Management Plan (ref: KH003-A-700 Revision D)
- Storey Heights Plan (ref: KH003-A-102 Revision B)
- Street Scenes (ref: KH003-A Revision B)
- Housetypes Pack
- Landscape Layout ref: KH003-A-401
- S104 Agreement Plans 1 of 2 (23147-BGC-D-100S104 (i) – A)
- S104 Agreement Plans 2 of 2 (23147-BGC-D-100S104 (ii) – A)
- Adoptable Flow Control Chamber (23147-BGC-D-321-A)
- Cellular Storage Construction Details (23147-BGC-D-326-A)
- Adoptable Foul Water Pumping station (23147-BGC-D-326-A)
- Flood Exceedance Routing Plan Sheet 1 of 2 (23147-BGC-D-161-A)
- Flood Exceedance Routing Plan Sheet 2 of 2 (23147-BGC-D-162-A)
- Design and Access Statement
- Planning Statement Addendum
- Arboricultural Impact Survey
- Air Quality Assessment
- Archaeological Desk Based Assessment
- Biodiversity Net Gain Assessment
- Crime Impact Statement Version B
- Energy and Sustainability Statement
- Preliminary Ecological Appraisal
- Habitats Regulations Assessment
- Health Impact Assessment
- Flood Risk and Drainage Assessment
- Noise and Vibration Assessment
- Transport Assessment
- Construction Environmental Management Plan
- Phase I & II Geoenvironmental Site Assessment
- Viability Report by Northern Land Agency

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Places for Everyone Plan and the National Planning Policy Framework.

Materials

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies JP-S1 and JP-P1 of the adopted Places for Everyone Plan and the NPPF.

Reason for pre-commencement condition: In the interests of visual amenity and in accordance with policies JP-S1 and JP-P1 of the adopted Places for Everyone Plan and the NPPF.

Tree Protection

4. No development shall take place until all trees that are to be retained within or adjacent to the site, as set out within the approved Arboricultural Impact Assessment (April 2024) have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition, and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within 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 JP-P1, JP-G2, JP-G6 and JP-G7 of the adopted Places for Everyone Plan and the NPPF.

Reason for pre-commencement condition: Construction works on site have the potential to impact trees from the initial stages and are therefore to be protected prior to works starting on site.

Tree Retention

5. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. If any retained tree is removed, uprooted or destroyed or dies (as a consequence of the development), another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

Reason: To ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with JP-P1, JP-G2, JP-G6 and JP-G7 of the adopted Places for Everyone Plan.

Bird Nesting Season

6. No clearance of trees and shrubs in preparation for (or during the course of) development in any phase or phases of the development shall take place during the bird nesting season (March - August inclusive) unless a survey to establish whether the site is utilised for bird nesting has been undertaken by a suitably qualified ecologist and a copy submitted to the Local Planning Authority. Should the survey reveal the presence of any nesting species, then no development shall take place on that part of the site during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The development shall thereafter be carried out in accordance with any agreed mitigation strategy.

Reason: In order to prevent disturbance to any nesting birds that may be present in accordance with Policies JP-P1, JP-G2, JP-G6 and JP-G7 of the adopted Places for Everyone Plan and the NPPF.

Reason for pre-commencement condition: Construction works on site have the potential to disturb nesting birds from the initial stages and are therefore to be protected prior to works starting on site.

Invasive Species

7. Prior to the commencement of development (including ground works and vegetation clearance), an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control, and removal of invasive plant species on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason - To secure the satisfactory disposal of this invasive species of plant, which under the terms of the Wildlife & Countryside Act 1981, as amended, it is an offence to be caused to spread in the wild, in accordance with the general principles of Policy JP-P1 and JP-G8 of the adopted Places for Everyone Plan.

RAMS

8. No earthworks or vegetation clearance shall take place until a reasonable avoidance measures method statement for small mammals and amphibians has been submitted to and approved in writing by the Local Planning Authority. If any protected species is found to either reside or forage within the site, no development shall take place until a scheme for the protection of their habitat or an appropriate mitigation scheme has been submitted to and approved in writing by the Local Planning Authority and the approved protection or mitigation measures shall thereafter be fully implemented.

Reason: To safeguard any protected species which may either live or forage within the site in accordance with Policy JP-G8 of the Places for Everyone Plan and the NPPF.

Reason for pre-commencement condition: As the proposals require the disturbance of ground, it is necessary to understand the extent of any existence.

Badger Surveys

9. No earthworks or vegetation clearance shall take place until updated badger surveys have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard protected species as defined by the Wildlife and Countryside Act 1981 and in accordance with Policy JP-G8 of the Places for Everyone Plan and the NPPF.

Construction Environmental Management Plan

10. The development hereby approved shall not be carried out except in complete accordance with the Construction Environmental Management Plan and Construction Transport Plan.

The plan shall set out that no construction vehicles will access the site from the Fairway for the duration of the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings and to protect the adjacent habitats during the construction of the development in accordance with policies Policy JP-G8 of the Places for Everyone Plan, and the requirements of the NPPF.

Remediation

11. The development hereby permitted shall be implemented in accordance with the following reports unless otherwise first agreed by the Local Planning Authority

- Phase I and Phase II Geo-Environmental Site Assessment - Prepared by E3P Ref 14-768-R1-3. Dated: March 13th, 2023.
- Supplementary Ground Investigations; Prepared by E3P, March 13th, 2023.
- Geoenvironmental Assessment Public Open Space: Prepared by E3P, March 13th, 2023.
- Controlled Waters Supplementary Assessment – Prepared by E3P. Ref. 17-468-L5-2. Dated March 5th, 2024.
- Remediation Strategy - Prepared by E3P. Ref 14-768-R4-2 Dated March 5th, 2024.
- Pile Design Contaminated Land Risk Assessment - Prepared by E3P Ref. 14-768-R4-2. Dated March 5th, 2024.
- Soils Remediation Method Statement and Implementation Plan – Prepared by Urban Regeneration, May 17th, 2024.

In the event of unsuspected / unanticipated contamination being encountered then a review and revision to the previously approved documents identified above, demonstrating to the Local Planning Authority that there is no resultant unacceptable risk to groundwater, shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be completed in accordance with the revised documents.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy JP-S1 of the Places for Everyone Plan, and the requirements of the NPPF.

12. Pursuant to condition 11 and prior to first use or occupation of any phase of development a verification report, which validates that all remedial works undertaken on site as part of that phase of development were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy JP-S1 of the Places for Everyone Plan, and the requirements of the NPPF.

Biodiversity

13. No above ground development shall take place until a Landscape and Habitat Creation and Management Plan (LHCMP) has been submitted to, and be approved in writing by, the local planning authority. The content of the LHCMP shall include the following.

- a) Description and evaluation of features to be created and/or managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Details of the body or organization responsible for implementation of the plan; and
- g) Ongoing monitoring and remedial measures

The LHCMP should set out how net gain in biodiversity (habitat enhancement) will be achieved on the site and include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The Plan should also set out (where the results from monitoring show that conservation aims and objectives of the Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved Plan should be implemented in accordance with the approved details.

Reason: To ensure the protection of wildlife and supporting habitat and to secure opportunities for the enhancement of the nature conservation value of the site in accordance with Policies JP-S1 and JP-G8 of the Places for Everyone Plan and the NPPF.

Sustainable Drainage Management and Maintenance

14. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Policy JP-G8 of the Places for Everyone Plan and the NPPF.

Drainage

15. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants in accordance with Policy JP-S4 of the Places for Everyone Plan and the NPPF.

16. The drainage for the development hereby approved shall be carried out in accordance with Banners Gate's Drainage Plans and details:
- Section 104 Agreement Plan drg 23147-BGC-D-104 (ii) A consultants dated April 2024
 - Cellular Storage Construction Details drg 23147-BGC-D-326 (rev A) dated April 2024
 - Adoptable Flow Control Chamber drg 23147-BGC-D-321 (rev A) dated April 2024

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation/ use of the proposed development, the drainage scheme 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 and to prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy JP-S4 of the Places for Everyone Plan and the NPPF.

Highways

17. No part of the development shall be occupied until highway improvement works at the proposed junction with Heywood Road / Manchester have been implemented in accordance with details (including their layout, design and surfacing) which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to secure improvements to the highway network to ensure safe and convenient access and circulation for vehicle traffic, to prevent obstruction of the highway and to provide improved public transport linkages to the site in the interests of road and pedestrian safety in accordance with the requirements of Policies JP-P1, JP-C1, JP-C5, JP-C6 and JP-C8 of the adopted Places for Everyone Plan and the NPPF.

18. No part of the development shall be occupied until a scheme for the creation of a self-enforcing 20mph zone along all new estate roads within the site relating to that phase has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details before the final dwelling to be served by that road is first occupied.

Reason: In order to ensure adequate traffic calming measures along new estate roads in the interests of highway and pedestrian safety in accordance with the requirements of Policies JP-P1, JP-C1 and JP-C8 of the adopted Places for Everyone Plan and the NPPF.

19. No part of the development shall be occupied until revised road markings at junctions onto Manchester Road and lining refreshed upon completion is implemented in line with a scheme that has been submitted to and approved by the council as local planning authority.

Reason: In the interests of highway safety and the provision of safe and adequate parking, in accordance with Policies JP-P1, JP-C1 and JP-C8 of the Places for Everyone Plan and the NPPF.

20. No part of the development shall be occupied until a Full Travel Plan for the site is submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall be implemented and reviewed in accordance with the timetable set out within the plan.

Reason: To provide for sustainable travel and to limit the effects of the increase in travel movements in accordance will Policies JP-P1, JP-C1 and JP-C8 of the Places for Everyone Plan and the NPPF.

21. No part of the development shall be occupied until the one-way signage is installed at the vehicular access from Heywood Road.

Reason: In the interests of highway safety and in accordance with Policies JP-P1, JP-C1 and JP-C8 of the Places for Everyone Plan and the NPPF.

22. Prior to completion of the development a 3 Stage Road Safety Audit shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policy JP-P1, JP-C1 and JP-C8 of the Places for Everyone Plan and the NPPF.

23. No dwelling hereby approved shall be occupied until such time as the car parking areas have been laid out, hard surfaced and drained in accordance with the approved Planning Layout.

Reason: In order to ensure that there is adequate provision for vehicles to be parked clear of the highway in the interests of road safety and amenity and to prevent obstruction in accordance with Policy Jp-C5 of the Places for Everyone Plan and the NPPF.

Air Quality

24. The development hereby approved shall only be carried out in accordance with mitigation measures detailed within the submitted Air Quality Assessment produced by Redmore Environmental dated April 2024

Reason: To minimise the impact upon air quality and in order to minimise the environmental impact of the development, pursuant to Policy JP-S5 of the Places for Everyone Plan.

Crime Impact Statement

25. The development hereby approved shall be implemented in accordance with the recommendations within the Crime Impact Statement dated 17th April 2024 unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of public safety and security in accordance with Policy JP-P5 of the Places for Everyone Plan and the NPPF.

External Lighting

26. Prior to first occupation of the development, details of the strategy for all external lighting, including lighting on the buildings, within the building's curtilage, and lighting units within the public realm works, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure adequate lighting within the development and to ensure full accessibility within the public realm works, and would not adversely impact on protected species pursuant to Policy JP-P1 of the Places for Everyone Plan,

Noise

27. The development hereby approved shall be implemented in accordance with the submitted noise impact assessment 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;
- Noise in external amenity areas shall not exceed 57 dB(A).
The acoustic fence is installed along the southern boundary as documented in section 5.1

A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any dwelling requiring acoustic mitigation measures.

Reason: In order to safeguard the amenities of the area and to prevent nuisance arising in accordance with Policy JP-P1 of the Places for Everyone Plan and the NPPF.

Landscaping

28. Notwithstanding the details shown on the approved plans, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications

and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

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 Policies JP-P1 and JP-G2 of the Places for Everyone Plan and the NPPF.

Removal of PD Rights

29. Notwithstanding the provisions of Part 1, Schedule 2, Article 3, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no development shall take place within the curtilage of any dwelling, or converted dwelling, hereby approved under Schedule 2, Part 1, Classes A, AA, B, D, and E of the above order; except with the prior written approval of the Local Planning Authority.

Reason: To ensure a satisfactory standard of development in accordance with the policies contained within the adopted Places for Everyone Plan and the NPPF.

Rainwater Goods

30. The rainwater goods utilised in the development hereby permitted shall be coloured black and thereafter so maintained to that colour.

Reason: In order to ensure a satisfactory appearance in accordance with Policy JP-P1 of the Places for Everyone Plan.

Boundary Treatments

31. The development shall be carried out in strict accordance with the approved Boundary Treatment Plan drawing reference A-300 Rev C. The approved boundary treatments shall be erected in accordance with the approved details and shall thereafter be retained.

Reason: To safeguard the amenities of the adjoining neighbouring properties from overlooking and loss of privacy and in the interests of visual amenity and the character of the area in accordance with Policy JP-P1 of the Places for Everyone Plan and the Council's Guidelines and Standards for Residential Development SPD.

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.

Date Decision Issued 9th August 2024

Melanie Hale
Head of Planning Services

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.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £34.00 for householder applications and £116.00 in all other cases.

INFORMATIVE:

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority Property Search Service on 0845 762 6848 or at www.groundstability.com.

INFORMATIVE:

The applicant is advised that the supply and delivery of refuse containers (including all wheelie bins and food waste caddies) for residential developments is chargeable and the responsibility for these charges rests with the applicant/developer. The cost is based on a variable rate per property depending on the property size and number of bedrooms but as an indication, the present charge for a suite of three 240l recycling bins and one 240l refuse bin is £144 per residence. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.