ROCHDALE
BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78

APPEAL SITE:
Land To The Side Of 5 Kingsley Road, Middleton M24 2PE
SUGGESTED CONDITIONS

LPA REFERENCE: 22/00290/FUL

PINS REFERENCE: APP/P4225/W/22/3310956

Should the Inspector be minded to allow the appeal, the Local Planning Authority respectfully requests that the following conditions be attached to the decision:

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. This permission relates to the following plans:-

   - Location Plan
   - Drawing titled 'Proposed site plan 1:500'
   - Drawing titled 'Elevation new fencing; Proposed rear elevation; Proposed front elevation'
   - Drawing titled 'Proposed side elevation and cross section thro' site'
   - Drawing titled 'Proposed second floor plan; Proposed first floor plan; Proposed ground floor plan'

   all received by the Council 21st March 2022

   and the development shall be carried out in complete accordance with these drawings hereby approved.

   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 Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specifications of materials to be used externally on the building(s) 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. Development shall 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 Policy P3 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

4. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place.

   The submitted report shall include:

   i. a survey of the extent, scale and nature of contamination
   ii. an assessment of the potential risks to:
      a. human health,
      b. property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
      c. adjoining land,
      d. groundwaters and surface waters,
      e. ecological systems,
      f. archaeological sites and ancient monuments;
   iii. where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

   The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

   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 Policies G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. Notwithstanding any detail shown on the approved plans or provided with the application submission, no development shall take place until a scheme for the discharge of surface water from the site (including surface water from hardstanding and parking areas) has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be based on the hierarchy of drainage options in the National Planning Practice Guidance, shall be accompanied by evidence of an assessment of the site conditions, and shall accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The duly approved scheme shall be implemented prior to first occupation of the dwelling hereby permitted and retained as such thereafter.

   Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. No above ground works shall take place until finished floor levels for the dwellings relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

   Reason: In the interests of amenity and in compliance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7. (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not 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.

(b) 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.

(c) 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 Policy P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8. No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

9. No part of the development shall be occupied until details of the siting, construction and design of refuse recycling/bin store(s) for the dwelling has been submitted to and approved in writing by the Local Planning Authority. The duly approved facilities shall be provided and made available for use before the first occupation of any dwelling relevant to that facility and retained thereafter.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and in the interests of visual amenity in accordance with Policy P3 of the adopted Rochdale Core Strategy, the Council's Guidelines and Standards for Residential Development Supplementary Planning Document and the National Planning Policy Framework.

10. Before the dwelling hereby approved is first occupied, a scheme for the design and construction of its associated parking areas, including but not limited to detail of surfacing materials and the provision for the drainage of surface water, shall be submitted to the Local Planning Authority for approval in writing. The parking areas shall be constructed in accordance with the approved details before each associated dwelling is first occupied, and retained as such for the parking of vehicles thereafter.

Reason: In order to ensure adequate and appropriate parking provision in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the dwellings hereby approved shall not be altered or extended, and no buildings, structure, gates, fences or walls shall be erected within their curtilage under Schedule 2, Part 1, Class B of Schedule 2, Part 2, Class A of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To ensure adequate parking provision is maintained, and to prevent and protect residential amenity in accordance with Policies T2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.