



Mr Mike Atkinson
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United Kingdom

Dear Sir/Madam,

DETERMINATION ON APPROVAL OF DETAILS REQUIRED BY A CONDITION

Application No:	22/01346/DOC
Application Type:	Approval of detail reserved by condition
Proposal:	Submission of details to comply with conditions 3 (phase II study), 4 (CMP), 5 (drainage), 6 (ffl), 7 (tree protection), 8 (spec materials), 9 (spec of windows, doors), 10 (replacement access), 11 (boundary treatment), 12 (landscaping), 13 (biodiversity) and 14 (bird nesting) on planning permission 22/00354/FUL
Location:	Brookside Community Centre , Lincoln Road, Middleton, Rochdale, M24 1RD

Your application for approval of details reserved by condition(s) has been dealt with and the details are set out below:-

Conditions and Reasons:

- 3 Prior to commencement of the development an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. The report of the findings must include:
- i) a survey of the extent, scale and nature of contamination
 - ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archeological sites and ancient monuments;
 - iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

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 buildings hereby approved are first occupied.

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 and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

Officer Response:

The submitted information for the above condition is considered acceptable. Further wording is below, requiring the submission of a remediation scheme and validation report must be submitted to the LPA for further assessment.

Prior to commencement of the development and where the site characterisation has identified unacceptable risks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall have been submitted to and approved in writing by the Local Planning Authority.

The approved remediation scheme shall thereafter be fully implemented. There shall be no variation of the approved remediation scheme unless otherwise approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme and prior to the commencement of the permitted use/development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing by the Local Planning Authority.

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 investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared which is subject to the approval in writing of the Local Planning Authority.

- 4 No development shall take place (including any site clearance or preparation works) until a Construction Management Plan (CMP), which shall include the following, has been submitted to, and approved in writing by the Local Planning Authority:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays;
- e) wheel washing facilities (or an adequate demonstration that this is not required)
- f) measures to protect surrounding sensitive receptors from fugitive dust and debris both during and after the construction phase;
- g) details of the construction hours (for the avoidance of doubt this shall be within the hours of 08:00-18:00 Monday-Friday, 09:00-16:00 Saturday and no work on Sundays or Bank Holidays); and
- h) hours for site deliveries.

The approved CMP shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CMP without the prior written permission of the Local Planning Authority.

Reason: To minimise the detrimental effects to the highway network and to the amenity of nearby occupiers during the construction phase in accordance with Policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for Pre-Commencement: Site clearance poses a threat to the surrounding natural environment and to surrounding occupiers and a scheme therefore needs to be agreed in advance of any works taking place.

Officer Response:

The Construction Method Statement prepared by Tec Services (NW) Limited, dated 12th September 2022 is approved. To comply with the requirements of the condition, the approved CMS shall be adhered to throughout the construction period and the development shall not be carried out otherwise than in accordance with the approved CMS without the prior written permission of the Local Planning Authority.

- 5 No development shall take place until such time as a scheme for the disposal of foul and surface waters from the site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separately from foul water. The surface water drainage scheme should be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, and include details of how the scheme shall be managed after completion. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface and foul water from the site in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works, these details are required prior to commencement of any building or engineering works on site.

Officer Response:

The submitted information does not fulfil the requirements of the condition, and therefore the condition is not discharged.

- 6 No development shall take place until finished floor levels for the proposed buildings and finished ground levels across the site 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

Reason for pre-commencement condition: An understanding of proposed levels in relation to existing levels is required prior to commencement of any relevant engineering operations on site.

Officer Response:

The submitted Finished Floor Levels plan (drawing number 6383_LC_2 A), prepared by Watergrove CGI Architects submitted to the Council 14/10/2022, is considered acceptable. Subject to the implementation of the submitted details, the condition is hereby discharged.

- 7 No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site 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 policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for Pre-Commencement: Site clearance and preparation poses a threat to trees and therefore fencing needs to be completed in advance of any works taking place.

Officer Response:

The submitted Tree Protection Plan (drawing number M3518-PA-02-V1) prepared by Barnes Walker, submitted to the Council 14/10/2022 is acceptable. Subject to implementation throughout the period of construction, the condition is discharged.

- 8 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. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

Officer Response:

The submitted Materials Schedule received by the Council 21/11/2022 is considered acceptable. The development hereby approved must accord with the approved details in the submitted schedule.

- 9 Notwithstanding any description in the application, no above ground works shall take place until full product specifications for the windows, external doors, roof lights and detailed design of the window and door reveals, at a scale of not less than 1:50, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details thereafter.

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

Officer Response:

The submitted Materials Schedule received by the Council 21/11/2022 is considered acceptable. The development hereby approved must accord with the approved details in the submitted schedule.

- 10 No above ground works shall take place until a detailed design for the replacement access from Lincoln Road, parking spaces and access road serving the development hereby approved, including construction level drawings showing the levels, drainage strategy, lighting and materials (as necessary), has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details prior to the first occupation of the approved dwellings and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Officer Response:

The submitted information does not meet the requested condition. The condition is not discharged.

- 11 Notwithstanding any details submitted as part of the application, 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.

Officer Response:

The submitted Materials Schedule received by the Council 21/11/2022 is considered acceptable. The development hereby approved must accord with the approved details in the submitted schedule.

- 12 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 Core Strategy Policy G6 and G7 and the National Planning Policy Framework.

Officer Response:

The submitted details on the Landscaping Plan completed by Barnes Walker submitted 14/10/2022 are considered acceptable. The approved landscaping plan must be carried out in accordance with the submitted details, and subject to the implementation stated within the above condition.

- 13 The dwelling hereby approved shall not be occupied until such time as a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks to be situated externally on, or integrated to the fabric of the dwelling hereby approved has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

Officer Response:

The submitted details are considered acceptable. Subject to implementation, the condition is hereby discharged.

- 14 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place 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

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Officer Response:

In accordance with the submitted details on the Method statement, the condition is now discharged.

Conclusion:

In order to discharge conditions no.5 and 10, a further discharge of conditions application must be made.

Yours faithfully,

Daniela Ripa
Interim Head of Planning Services