ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 19/00256/FUL

Name and address for correspondence:	Applicant name:
Maxine Parker 4 Turnpike Close Diggle Oldham OL3 5PH	Mr Lancaster

Part I - Particulars of Application

Date of Application: 2 April 2019

Proposal:	**Demolition of existing dwelling and construction of replacement dwelling**
Location:	**23 Rhodes Green, Middleton, M24 4SL**

Part II - Particulars of decision

The Rochdale 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:

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 (Plan Received 05.03.19)
- Site Plan as Existing
- Site Plan as Proposed (Amended Plan Received 03.04.19)
- Tree Survey, Drawing No. 247/1
- Plans, Elevations and Sections as Existing, Drawing No. 34
- Plans, Elevations and Section as Proposed, Drawing No. 34B

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 Core Strategy, the Unitary Development Plan and the National Planning Policy Framework.

3 No development shall take place until an investigation and risk assessment 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:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- 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 environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Rochdale Core Strategy policy G9 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.

4 No development or works of site preparation shall take place until such time as an Arboricultural Method Statement including but not limited to detail on which trees are to be removed, which trees are to be retained, any other tree work to facilitate development including pruning, proposals for ongoing management of retained trees, temporary protective barriers, temporary ground protection, site supervision, location of services and, if required, specialist construction techniques in accordance with BS 5837:2012 (Trees in Relation to Design, Demolition and Construction) has been submitted to and approved in writing by the Local Planning Authority. 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 Policies P3, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Protection measures for retained trees are required to be in place prior to commencement of any works on site to ensure no damage is caused.

5 No development, other than the demolition of the existing dwellinghouse on site and subsequent works of site clearance, shall take place until a detailed scheme for the disposal of foul and surface water from the site, including detail of ongoing management proposals, has been submitted to and approved in writing by the Local

Planning Authority. No part of the development shall be occupied until such time as the duly approved scheme has been implemented. The drainage infrastructure shall be retained and maintained in accordance with the approved detail thereafter.

Reason: To prevent an increased risk of flooding as a result of the development, to ensure that surface water discharge rates are limited to pre-development rates and to ensure satisfactory disposal of surface and foul water from the site in accordance with policy G8 of the adopted Rochdale Core Strategy, saved policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

6 No development, other than the demolition of the existing dwellinghouse on site, shall take place until finished floor levels for the proposed building 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 Notwithstanding the provisions of condition 2 of this permission or 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 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 first occupation of the dwelling hereby approved.

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

8 No above ground works shall take place until full details of the vehicular access and driveway, including detail of the surface water drainage strategy and surfacing materials, have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until such time as the duly approved vehicular access and car parking arrangements have been made fully available for use; the arrangements shall be retained thereafter for their intended purpose.

Reason: In the interest of highway safety and the free flow of traffic and to ensure satisfactory disposal of surface and water from the site in accordance with policies T2, DM1 and G8 of the adopted Rochdale Core Strategy, saved policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

9 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, P2 and DM1 of the Rochdale Core Strategy and the National Planning Policy Framework.

10 (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 Rochdale Core Strategy and the National Planning Policy Framework.

11 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.

12 No part of the development shall be occupied until such time as a detailed scheme for the provision of bird and bat boxes in the development has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until such time as the duly approved scheme has been implemented. The bird and bat boxes shall be retained as installed thereafter.

Reason: To safeguard any protected species which may either live or forage within the site in accordance with Policy G7 or the Rochdale Core Strategy and the National Planning Policy Framework.

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) prior to first occupation of the building hereby permitted the windows in the ground floor and mid-elevation level on the side elevation facing north shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

14 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 dwelling hereby approved shall not be altered or extended, and no buildings or structure shall be erected within its curtilage under Schedule 2, Part 1, Classes A, B, C, D and E of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent overdevelopment in Protected Open Land in accordance with policies G4 and G5 of the Rochdale Core Strategy, saved policy D/10 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

Procedure Statement:

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 Decision Issued 17 June 2019



.....
Signed on behalf of the Council

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 an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

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. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's 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.

All British bat species are fully protected through The Conservation of Habitats and Species Regulations 2010 as European Protected Species (EPS). They also receive some protection through inclusion in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Under

the Wildlife and Countryside Act 1981 (as amended), it is also an offence to intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for shelter or protection; or obstruct access to any structure or place which any such animal uses for shelter or protection. If bats are found at any time during the works, work should cease immediately and advice sought from a suitably qualified bat worker.