

Town and Country Planning Act 1990 (as amended)

## PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/00506/HOUS

|                                                                                           |                 |
|-------------------------------------------------------------------------------------------|-----------------|
| Name and address for correspondence:                                                      | Applicant name: |
| Daniel Llado<br>TDM Architectural Ltd<br>538 Rochdale Road<br>Royton<br>OLDHAM<br>OL2 6SF | MR KIRK         |

### Part I - Particulars of Application

Date of Application: 12 June 2023

|                  |                                                                                                                                                                                                                                                             |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Proposal:</b> | <b>First floor extension to create two storey dwelling, including application of render and Juliette balcony to the rear elevation and the insertion of 2 new velux roof lights to existing rear ground floor elevation - Resubmission of 22/00699/HOUS</b> |
| <b>Location:</b> | <b>2 Belfield Lawn, Milnrow, Rochdale, OL16 3AN</b>                                                                                                                                                                                                         |

### 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 The permission relates to the following plans:

- o Location Plan - Drawing No. PL03 dated 05/2022
- o Existing and Proposed Site Plan - Drawing No. PL04 dated 05/2023
- o Existing Floor Plans, Elevations and Roof Plan and Proposed Floor Plans - Drawing No. PL01 Rev. C dated 09/2023

and the development shall be carried out in 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 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. For the avoidance of doubt, such details shall include the type, colour and texture of the materials and, where stonework is proposed, a one metre square freestanding panel of stonework showing the type of natural stone, coursing, jointing and mortar mix and finish. Where masonry detailing is required, details drawn at a scale of not less than 1:20 shall also be submitted. The development shall be carried out 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.

- 4 Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specification of materials of the proposed doors and windows have been submitted to and approved in writing by the Local Planning Authority. Such details shall include detailed elevation and cross-section drawings, and the type, colour and texture of the materials. The 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 and to protect the significance of the host non-designated heritage asset, in accordance with Policy P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 No above ground works shall take place until details of the roof lights to be installed in the roof of the approved development have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, roof lights shall be of a 'Conservation Style' and shall be set flush with the roof slope or as close as is practicable. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interest of visual amenity and in the interest of preserving the significance of Non-Designated Heritage Assets and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 6 No development shall take place until the trees that are to be retained within the site has been enclosed with temporary protective fencing and temporary ground protection has been fully installed in full accordance with BS:5837:2012. The fencing and flooring shall be retained during the period of construction and the development shall be carried out in accordance with the submitted Arboricultural Method Statement dated 22/08/2022. For the avoidance of doubt, no work, excavation, tipping, or stacking/storage of materials shall take place beyond 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 P2, P3, G1, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: The trees must be protected before any works are carried out.

**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            6 October 2023

Daniela Ripa  
Interim 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:**

This decision does not imply consent to carry out any work which may encroach over a common boundary. Such work may include excavation, positioning of walls, fences or other construction such as roofs or gutters which overhang the boundary line. The applicant is therefore advised to obtain the consent of any landowner prior to the commencement of such work. The applicant's attention is also drawn to the provisions of the Party Wall Act 1996, which sets out the rights and responsibilities of adjoining landowners in respect of the construction or alterations of any party walls, excavations and other construction works adjacent to the boundary line. Before proceeding with the development professional advice on the provision of the Act should be sought. "The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>.

**INFORMATIVE:**

Bats can be mobile and cryptic in their habits, and can turn up in unexpected places. Under the Wildlife and Countryside Act 1981 it is an offence to capture, injure or kill a bat, deliberately disturb a bat, or damage or destroy a bat roost. Planning consent does not provide a defence against prosecution under this act. If bats are encountered at any time during works, work must cease and advice sought from a suitably qualified person about how best to proceed.

**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](http://www.groundstability.com).