

Town and Country Planning Act 1990 (as amended)

## PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/00998/FUL

|                                                                       |                                                           |
|-----------------------------------------------------------------------|-----------------------------------------------------------|
| Name and address for correspondence:                                  | Applicant name:                                           |
| Mr Thomas Lord<br>Turley<br>1 New York Street<br>Manchester<br>M1 4HD | David Wilson Homes North West and Rexel<br>Property Group |

### Part I - Particulars of Application

Date of Application: 8 September 2022

|                  |                                                                                                                                                                                                                                                                                                                    |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Proposal:</b> | <b>Residential development of up to 57 dwellings, including part demolition and refurbishment of Grade II Listed Building Silver Hill Farmhouse and associated buildings, together with new vehicular access points, car parking, boundaries, landscaping, creation of open space, and other associated works.</b> |
| <b>Location:</b> | <b>Silver Hill Farm And Plot W Of Kingsway Business Park , Broad Lane And Lower Lane, Rochdale, OL16 4PT,</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:**

#### **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).

## **Approved Plans**

2. This permission relates to the following plans / drawings:

### Site Wide Plans / Drawings:

- Location Plan drawing reference H7491-201001 Rev P01
- Planning Layout drawing reference H7491-203001 Rev P02
- Colour Layout drawing reference H7491-203100 Rev P02
- Parcel Plan drawing reference H7491-201100 Rev P02
- Materials Layout drawing reference H7491-203150 Rev P03
- Refuse Plan drawing reference H7491-203500 Rev P03
- Slab Levels & Storey Heights Plan drawing reference H7491-303013 Rev P03
- Electrical Vehicle Charing Point Plan drawing reference H7491-203002 Rev P03
- Boundary Treatment & Surfacing Plan drawing reference H7491-203250 Rev P03
- Detailed Landscape Proposals drawing reference GL1670 02J
- Detailed Landscape Proposals drawing reference GL1670 03J
- Road and Sewer Plan drawing reference 300001-P03-Road and Sewer Plan
- 2m Acoustic Fence detail drawing reference EXT WKS AF
- Boundary Wall Type 1 drawing reference DB-SD13-004 Rev D
- Close Boarded Fence Detail drawing reference DB-SD13-006 Rev B
- External Gate Detail drawing reference DB-SD13-014
- Entrance Feature Detail drawing reference H7491-203801 Rev P01
- Electric Substation drawing reference SUB01

### New Build Residential Plot Parcel Plans / Drawings:

- Execution Plan drawing reference H7491-307400 Rev P03
- House Type Bala (N241 XDCC 1100) Drawing No:13 November 2022
- House Type Bala (N241 XECC 1100) Drawing No:13 November 2022
- House Type Bala (N241 XECG 1100) Drawing No:13 November 2022
- House Type Tenby (N282 XECC 1100) Drawing No: 12 December 2022
- House Type Tenby (N292 XECH 1100) Drawing No: 12 December 2022
- House Type Tenby (N282 XICI 1100) Drawing No: 05 November 2022
- House Type Langstone (N322 XECC 1100) Drawing No: - January 2023
- House Type Hazelborough (N403 XDCC 1100) Drawing No: 01 January 2023
- House Type Hazelborough (N403 XDCC 1100) Drawing No: 01 January 2023
- House Type Hamford (N431 XDCH 1100) Drawing No: 01 January 2023
- House Type Berney (Y411 XDCH 1100) Drawing No: 01 January 2023
- House Type Dunnet (Y422 XDCC 1100) Drawing No: 01 January 2023
- House Type Dunnet (Y442 XDCH 1100) Drawing No: 01 January 2023
- House Type Conwy (Y458 XDCC 1100) Drawing No: 01 January 2023
- House Type Bala (N241 XEG7 DS00) Drawing No: 13 November 2022
- House Type Tenby (N282 XEH7 DS00) Drawing No: 12 December 2022
- House Type Tenby (N292 XI-7 DS00) Drawing No: 12 November 2022
- House Type Hazelborough (N403 X-G7 DS00) Drawing No: 01 January 2023

- House Type Hamford (N431 X-H7 DS00) Drawing No: 01 January 2023
- House Type Berney (Y411 X-H7 DS00) Drawing No: 01 January 2023
- House Type Dunnet (Y442 X-H7 DS00) Drawing No: 01 January 2023
- House Type Conwy (Y456 X-G7 DS00) Drawing No: 01 January 2023
- Development Sections Drawing Reference H7491-203550 Rev P03
- Garage 2 X Single - Elevations drawing reference SDG2H8
- Garage Floor Plans drawing reference SDG2H8
- Garage Single – elevations drawing reference SSG1H8
- Garage Single Floor Plan drawing reference SSG1H8

Silver Hill Farm Complex Plans / Drawings:

- Remedial Works drawing reference 21-088-021 Rev A
- Proposed Site Plan drawing reference 21-088-200 Rev L
- Proposed Site Plan – Landscape drawing reference 21-088-201 Rev O
- Proposed Farmhouse Plans drawing reference 21-088-202 Rev F
- Proposed Farmhouse and Barn Elevations drawing reference 21-088-204 Rev E
- Proposed New House 01 Plans drawing reference 21-088-205 Rev H
- Proposed New House 02 Plans drawing reference 21-088-207 Rev B
- Proposed New House Elevations drawing reference 21-088-206 Rev M
- Proposed Barn Plans drawing reference 21-088-208 Rev F
- Demolitions & New Elevations drawing reference 21-088-210 Rev B

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 saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

### **Materials**

3. The development shall be implemented solely in accordance with the approved Materials Plan (drawing reference H7491-203150 Rev P03) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect visual amenity and ensure the new development responds positively to the Listed building, its setting, local context and character, in accordance with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

### **Foul & Surface Water Drainage**

4. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing H7491-DWH-XX-XX-DR-DR-300001, Rev P03 - Dated FEB 24 which was prepared by David Wilson Homes. For the avoidance of doubt surface water must drain at the restricted rate of 178.5 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

## **Sustainable Drainage Management and Maintenance**

5. Prior to occupation of each parcel or phase of the development a sustainable drainage management and maintenance plan for the lifetime of that parcel or phase shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
  - i. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
  - ii. 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.

## **Site Investigation**

6. Land remediation works shall be carried out solely in accordance with the approved Remediation Strategy ref: R3119-R01 produced by Smith Grant Environmental Consultancy.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy G9 of the Core Strategy and the NPPF.

## **Archaeology Written Scheme of Investigation**

7. No demolition, soft-strip or development works within any parcel or phase of the development shall take place (except those works allowed by Listed Building Consent Ref. 22/00999/LBC) until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works for that parcel or phase. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The WSI shall cover the following as is relevant to that parcel or phase:
  - 1) Informed by the updated North West Regional Research Framework, a phased programme and methodology of investigation and recording to include:
    - a. historic building recording of the Silver Hill Farm complex
    - b. a site walkover to identify and record any surviving features or remains of the farm enclosure
    - c. a watching brief to be maintained during primary infrastructure works across Plot W, with results used to inform the necessity of watching briefs in other areas
    - d. informed by the above, more detailed excavation (subject of new WSI)
  - 2) A programme for post-investigation assessment to include:
    - a. analysis of the site investigation records and finds

- b. production of a final report on the significance of the archaeological and historical interest represented.
- 3) Deposition of the final report with the Greater Manchester Historic Environment Record.
- 4) Dissemination of the results commensurate with their significance.
- 5) Provision for archive deposition of the report and records of the site investigation.
- 6) Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF Section 16, Paragraph 205 - Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

### **Bird Nesting Season**

- 8. No clearance of trees and shrubs in preparation for (or during the course of) development in any parcel 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 G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework. 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.

### **Crime Impact Statement**

- 9. The development shall be constructed in accordance with the physical security measures outlined in Section 4 of the approved Crime Impact Statement (document reference 2022/0123/CIS/01) unless otherwise agreed in writing with the local planning authority. The recommendations identified within the executive summary should be incorporated into the security of the development.

Reason: For the avoidance of doubt and in the interests of public safety and security in accordance with Core Strategy Policy P3, and the National Planning Policy Framework.

### **Piling**

- 10. No piling or any other foundation designs using penetrative methods shall take place within any parcel or phase of the development, unless a Piling Method

Statement to confirm installation methods and monitoring regime for that parcel or phase has been submitted to and approved in writing by the Local Planning Authority. Each parcel or phase of the development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed piling activity does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework.

### **Boundary Treatments**

11. The development shall be carried out in strict accordance with the approved Boundary Treatment & Surfacing Plan drawing reference H7491-203250 Rev P03. 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 Policies P3 and DM1 of the Rochdale Core Strategy and the Council's Guidelines and Standards for Residential Development SPD.

### **Landscaping**

12. The landscaping works, within each parcel or phase of development, as shown on the approved plans Detailed Landscape Proposals drawing reference GL1670 02J and Detailed Landscape Proposals drawing reference GL1670 03J shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first 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 P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

### **Hard Landscaping**

13. Within six months of the commencement of each parcel or phase of the development, a phasing and delivery programme for the completion of post construction 'hard' landscaping treatment of that parcel or phase, in accordance with the approved Boundary Treatment & Surfacing Plan drawing reference H7491-203250 Rev P03, shall be submitted to and approved in writing by the Local Planning Authority. Such a programme will include the timing of delivery for the proposed surface treatment of the parking areas, paths or other hard-surfaced areas and any street furniture, (including any benches, bollards, walls, fencing and gates etc). The approved details shall thereafter be fully implemented. The overall agreed scheme of works shall be carried out either within twelve months of the date that the building(s) within

that parcel or phase are first brought into use or in accordance with an alternative timescale that shall first be agreed with the Local Planning Authority.

Reason: To secure a satisfactory standard of development in accordance with Policies BE/2, BE/7, BE/8, A/3, A/4, A/9 of the Council's Unitary Development Plan.

### **Tree Retention**

14. 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 Policy G6 of the Rochdale Core Strategy.

### **Tree Protection Measures**

15. The erection of fencing for the protection of any retained tree or trees shall be undertaken in accordance with the Arboricultural Impact Assessment prepared by Ascerta (document reference P.1027.18 Revision C, dated 10<sup>th</sup> April 2024) before any equipment, machinery or materials are brought on to the site. Such protection as required by this condition shall be retained throughout the entire period of construction and until all equipment, machinery and surplus materials have been removed from the site. No materials, soil, rubbish or vehicles shall be deposited or stored in any area fenced in accordance with this condition and no fires shall be lit, and no raising or lowering of ground levels shall take place within this area. No drains, pits, ditches or trenches shall be dug in or run across the area protected by the fencing, at any time before, during and after the development of the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with Policy G6 of the Rochdale Core Strategy.

### **External Lighting**

16. Prior to first occupation of each parcel or phase of the development hereby approved, details of any external lighting within that parcel or phase shall be submitted to, and approved in writing by, the local planning authority. The approved scheme shall thereafter be maintained and operated in accordance with the approved details.

Reason: In order to protect the privacy and amenity of adjoining and future occupiers and enhance the appearance of the development in accordance with Policy DM1 of the adopted Core Strategy.

## **Biodiversity Enhancements**

17. Prior to first occupation of each parcel or phase of the development hereby approved, details of the installation of bat and bird boxes within that parcel or phase shall be submitted to, and approved in writing by, the local planning authority. These details shall include the number and type of boxes and a plan showing the location of the boxes.

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.

## **Electric Vehicle Charging Points**

18. Each parcel or phase of the development should be carried out in strict accordance with the Approved Electric Vehicle Charging Point Plan (drawing reference H7491-203002 Rev P03). Each charging point shall be installed with a minimum power rating of 7Kw, at least mode 3 or equivalent with a universal socket that can charge all types of electric vehicles currently on the market and meet safety and accessibility requirements. The approved car charge point scheme shall be implemented prior to occupation of each unit within that parcel or phase.

Reason: In the interests of air quality management in accordance with Core Strategy Policy T2 and the National Planning Policy Framework.

## **Noise Levels**

19. The dwellings hereby approved shall be designed and constructed in accordance with the submitted Environmental Noise Assessment prepared by Agility Acoustics (document reference AA18-1085-R02v1, dated July 2022) to ensure the following indoor noise levels are achieved:

- 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 55 dB(A).

Prior to the first occupation of each dwelling hereby approved, an acoustic verification report relating to that dwelling shall have been first submitted to, and approved in writing by, the Local Planning Authority, confirming that the above levels have been achieved. Is this required

Reason: In order to safeguard the amenities of the area and to prevent nuisance arising in accordance with Policies DM1 and G9 of the Rochdale Council Core Strategy and the National Planning Policy Framework.

## **Removal of Permitted Development Rights**

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

## **Travel Plan**

21. The development shall be carried out in strict accordance with the submitted Travel Plan prepared by BannersGate Transportation Ltd (document reference P1432, dated 7 December 2023). The approved Travel Plan shall be implemented within 6 months of the first occupation of the development hereby permitted.

Reason: In order to ensure that the development encourages people to travel to the site by sustainable modes of transport and to ensure that the site will be provided with sufficient off-street car parking, in accordance with policies T1 and T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

## **New Footway**

22. Prior to the first occupation of the development, a specification for the provision of a footway along the frontage of the site on Broad Lane shall be submitted for the written approval of the Local Authority Highways Department via S38 agreement. The duly approved scheme and footway shall be implemented in full before any of the dwellings hereby approved are first occupied.

Reason: In the interests of highway safety and in accordance with Policy BE/2 of the Council's Unitary Development Plan.

## **Traffic Calming Scheme**

23. Prior to the first occupation of the development, details of amendments to the existing 'traffic calming' scheme along Broad Lane shall be submitted to and approved in writing by the Local Planning Highways Authority. The approved scheme shall be implemented in accordance with a programme of works that shall have first been approved in writing by the Local Planning Authority. The costs of amending the existing scheme shall be met by the applicant.

Reason: In the interests of highway safety and in accordance with Policy BE/2 of the Council's Unitary Development Plan.

### **Parking Provision**

24. No building hereby approved shall be occupied until such time as the car parking areas within the site relevant to that building have been laid out, hard surfaced and drained in accordance with the Planning Layout drawing reference H7491-203100 Rev p02 and and Boundary Treatment & Surfacing Plan drawing reference H7491-203250 Rev P03. The car parking areas shall be retained for those uses thereafter.

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 A/10 of the Council's Unitary Development Plan.

### **Construction Environmental Management Plan**

25. Any works associated with the development hereby approved, shall be carried out solely in accordance with the submitted Construction Environmental Management Plan ref: CEMP:KW3:NS:01 which was prepared by David Wilson Homes.

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 G7, G9 and P3 of the adopted Rochdale Core Strategy, and the requirements of the National Planning Policy Framework.

### **Hours of Construction**

26. Hours of construction shall hereby be limited to:
- 08:00 – 18:00 Monday – Friday;
  - 09:00 – 14:00 Saturdays; and
  - No work on Sundays or Bank Holidays.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, T2, G7, G8 and G9 of the Core Strategy and the National Planning Policy Framework.

### **Rainwater Goods**

26. 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 BE/2 of the Council's Unitary Development Plan.

### **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 : 27 June 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 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).

**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](mailto:environmental.management@rochdale.gov.uk) for a quotation for your development.

