ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 18/01096/FUL

Name and address for correspondence:	Applicant name:
Mr M Farooq Building Design Services 6 Stock Close Rochdale OL12 6BB	Mr Muhammad Saeed

Part I - Particulars of Application

Date of Application: 26 September 2018

Proposal:	**Erection of a building comprising of 5 self-contained flats with associated parking and 0.9m high boundary wall to front, side and rear - Resubmission of 18/00671/FUL**
Location:	**Land Adjacent To 158 Drake Street, Rochdale, OL16 1PX**

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 1:1250
- Existing and Proposed site plans, ground floor plan and boundary walls Drawing No1348/1A
- Street Scene, Section, first floor and second floor plan, Drawing No.1348/2A
- proposed Elevations, Drawing No. 1348/3A

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 Unitary Development Plan and the National Planning Policy Framework.

3 Notwithstanding any description of materials in the application, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the building and boundary walls have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the window heads on the front, side and rear elevations shall be stone with angled edges as shown on the approved plans. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

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

4 No above ground works shall take place until full details of the windows and doors, including sections at a scale of not less than 1:20 to demonstrate: the longitudinal and cross-sectional detailing, depth of recess, cill and lintel detailing, and means of opening together with any finished treatment and depth of reveals, including samples if so required, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and thereafter so maintained.

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

5 No above ground works shall take place until full details of the construction and design of a refuse recycling/bin store has been submitted for the written approval of the Local Planning Authority. The duly approved facility shall be provided and made available for use before the first occupation of any of the dwelling units hereby approved.

Reason: To ensure the provision of satisfactory and secure facilities for storage of refuse and in the interests of visual amenity in accordance with policy P3 of the Rochdale Unitary Development Plan.

6 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 office windows in the first floor on the western side elevation of 158 Drake Street facing the application site shall be fitted with textured glass which obscuration level 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.

7 The flats hereby approved shall be designed and constructed to ensure that indoor noise levels do not exceed:

35 dB(A) Leq (1 hour) in bedrooms with windows shut and other means of ventilation provided between the hours of 07:00 and 23:00;
30 dB(A) Leq 5 (5 minutes) in bedrooms with windows shut and other means of ventilation provided between the hours of 23:00 and 07:00;
35 dB(A) Leq (1 hour) in living rooms with windows shut and other means of ventilation provided between the hours of 07:00 and 23:00;
40 dB(A) Leq (1 hour) in all other habitable rooms with windows shut and other means of ventilation provided at all times.

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

Reason: In the interests of residential amenity and to ensure that future residents are adequately protected from unacceptable levels of noise in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8 No development shall take place until a scheme for the design and construction of 'hard' landscaping treatment and marking out of the access to the site and the parking spaces shown on the approved plans has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of the parking areas, paths or other hard-surfaced areas and any furniture, (including any benches, lighting columns, bollards and gates etc). The approved scheme shall be fully implemented before any of the uses hereby approved are first brought into use and retained thereafter.

Reason: To ensure safe and convenient access and parking arrangements in accordance with policies DM,1 and T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

Reason for pre-commencement condition: This application proposes to develop the site. This condition would ensure safe development of the site in the interest of future occupiers, and to prevent pollution of the water environment.

9 No development shall take place until a site 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:

- 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 water environment and 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, saved Policy EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: This application proposes to develop the site. This condition would ensure safe development of the site in the interest of future occupiers, and to prevent pollution of the water environment.

10 No development shall take place until a foul and surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions and inclusive of how the scheme

shall be managed after completion, has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, foul and surface waters shall be drained on separate systems and the surface water drainage scheme shall accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure the appropriate disposal of foul and surface waters and to manage the risk of flooding and pollution in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Drainage is an early activity in the construction process and it is in the interest of all stakeholders to ensure that an acceptable scheme is agreed before development commences on site.

11 No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include details of the following: - (i) hours for site preparation, delivery of materials and construction; (ii) the parking of vehicles of site operatives and visitors; (iii) loading and unloading of plant and materials; (iv) storage of plant and materials used in constructing the development; (v) the erection and maintenance of security hoarding; (vii) measures to control the emission of dust and dirt during construction, including a wheel washing facility; and (viii) a scheme for recycling/disposing of waste resulting from construction works.

The duly approved CMS shall be adhered to throughout the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings during the construction of the development in accordance with the requirements of policy DM1 and G9 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of nearby uses and highway safety prior to commencement of any building or engineering works on site.

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 22 November 2018

MR Rosa

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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.