

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00630/FUL

Name and address for correspondence:	Applicant name:
Mr Bradley Clarke Clarkes Bespoke Design Ltd 83 Ducie Street Manchester M1 2JQ	Mr Jut Farrell

Part I - Particulars of Application

Date of 2 July 2024
Application:

Proposal:	Conversion of existing barn to form two new dwellings including engineering works and formation of retaining wall to provide level access together with two storey side extension
Location:	Leaches Farm , Ashworth Road, Heywood, Rochdale, OL11 5UN

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:-

PL-005 rev. P9 - Location plan and existing and proposed site plans rev 14.06.23

PL-002 - rev. P1 - As Proposed Plans rev date 24.05.24

PL-003 - rev.P1 - As Proposed Elevations rev date 24.05.24

PL-004 - rev. P1 - As Proposed 3D rev date 24.05.24

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

- 3 No works to the buildings or 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.

- 4 No development (including any demolition or works to the fabric of the building) shall take place unless the Local Planning Authority has been provided with a minimum of two dusk surveys undertaken in accordance with the recommendations of the submitted Daytime Bat Survey (February 2023) by Rachel Hacking Ecology, including a review of, and where necessary, updated recommendations for the development and timescales for their implementation. No development shall also take place until the Local Planning Authority has been provided with either:

b)a a bat mitigation licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or

b)b a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence
The development shall be carried out in accordance with the approved details and any physical measures retained and maintained thereafter.

Reason: In order to ensure that the development does not prejudice the favourable conservation status of bats in accordance with the requirements of Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure the favourable conservation status of bats and to ensure compliance with the Wildlife and Countryside Act 1981

- 5 No development shall take place until an 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:
 - 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 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 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.

- 6 Notwithstanding any detail shown on the submitted plans or provided with the application submission, no development shall take place until a scheme for the discharge of surface water from the site (including surface water from the access and parking areas) has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, foul and surface water shall be drained on separate systems. The surface water drainage scheme shall be based on the hierarchy of drainage options in the National Planning Practice Guidance, with evidence of an assessment of the site conditions, and shall accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The duly approved scheme shall be implemented prior to first occupation of the building hereby permitted and retained as such thereafter.

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

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

- 7 Notwithstanding any detail shown on the submitted plans or provided with the application submission, no development shall take place until a detailed scheme for the siting and installation of the proposed package treatment plant (including the method of discharge) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained as such thereafter.

Reason: To prevent pollution of the water environment and to ensure satisfactory disposal of foul water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

- 8 No development shall take place until a schedule of any repair works, demolition or rebuilding and a method statement setting out the details of any works has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

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

Reason for pre-commencement condition: Details of works must be agreed in advance of taking place to ensure the historic significance of the building is preserved and enhanced.

- 9 Notwithstanding any description of materials in the application no above ground construction works shall take place until 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. For the avoidance of doubt, the submitted details should include the composition and source of replacement masonry and roof materials and mortar specification, including samples to be provided on site. 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 preserving the historic significance of the building in accordance with Policies DM1, P2 and P3 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

- 10 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, no above ground works shall take place until details of all windows and doors (including their specification, materials, finishes, recesses and opening profile) have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the duly approved details before the dwellings hereby approved are first occupied and shall be retained as such thereafter.

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

- 11 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, no above ground works shall take place until full details of the treatment of the ridge, verge and eaves have submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the duly approved details and retained as such thereafter.

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

- 12 With reference to the as Proposed Elevations plan hereby approved, prior to their installation, full product specifications including detailed drawings of the aluminium soffits, fascias and rainwater goods, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before the dwellings hereby approved are first occupied and shall be retained as such thereafter.

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

- 13 All roof lights to be installed shall be of a 'conservation style', to sit flush with the roof surface and shall not protrude from the roof plane, and shall be retained as such thereafter.

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

- 14 Notwithstanding any detail shown on the submitted plans or provided with the application submission, no works to clean the existing masonry shall take place until such time as a detailed stone cleaning methodology has been provided and agreed in writing by the Local Planning Authority. The cleaning works shall thereafter be carried out in accordance with the approved methodology.

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

- 15 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, in accordance with the approved proposed site plan which includes the demolition of the existing buildings, and creation of a garden area. 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.

The landscaping works shall be carried out within the next planting season following occupation of the development hereby permitted.

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.

- 16 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. This includes the construction of the landscaped boundary between the two dwellings as shown on approved drawing 'Landscape Layout'. 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.

- 17 No part of the development shall be occupied until such time as a detailed strategy for the management and collection of household waste has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the duly approved strategy.

Reason: In the interests of ensuring safe and efficient collection of household waste in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

- 19 No above ground works shall take place until a scheme of biodiversity enhancements for the site including those pursuant to the recommendations arising from condition 4 of this permission has been submitted to and approved in writing by the Local Planning Authority. Such measures may include but are not limited to, the provision of owl boxes, bird boxes, bird bricks, bat boxes and bat bricks, bug hotels, hibernaculum, wildflower seeding and hedgehog habitat (including provision of 'Hedgehog Highways'). 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.

- 20 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to any part of the development being first occupied and shall be retained thereafter for their intended purpose.

Reason: In the interest 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.

- 21 No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented.

Reason: In the interests of amenity and the conservation of protected species and in compliance with Policies P3, G9, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 22 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), the dwelling hereby approved shall not be altered or extended, and no buildings or structure shall be erected within their curtilage under Schedule 2, Part 1, Class A, AA, B, C, D, and E or Part 2, Class A of the above Order except with the express planning permission from the Local Planning Authority.

Reason: To prevent undue harm to the historical significance of Non-Designated Heritage Assets and the character and appearance of the area and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Date Decision Issued 14 November 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: £43.00 for householder applications and £145.00 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.

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.

The applicant is reminded that the site is acknowledged to be an active bat roost. Bats are afforded statutory protection 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.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).