

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/00911/FUL

Name and address for correspondence:	Applicant name:
Mr G Bell Condy & Lofthouse Ltd 17 Connect Business Village 24 Derby Road Liverpool L5 9PR	Mr Godfrey

Part 1 - Particulars of Application

Date of 28 November 2023
Application:

Proposal:	20no. affordable dwellings including associated landscaping and access following demolition of existing buildings
Location:	Phoenix Works , Brookes Street, Middleton, M24 2WL

Part 2 Compliance with Conditions

It is YOUR responsibility to comply with planning conditions. The Council's Planning Enforcement Team is responsible for investigating alleged breaches of planning control. This includes ensuring that all relevant conditions have been complied with. Effective enforcement is important to:

- Tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.

Whilst the majority of developers/homeowners do comply with the requirements of planning permissions, there are a number who do not. Where any planning conditions are breached, the Council can take formal enforcement action without further notice. Enforcement action could include such measures as requiring remedial works, cessation of use, or complete demolition and can cause the developer/homeowner unnecessary expense, delay and frustration. In some cases, failure to comply with planning conditions can lead to the loss of the planning permission.

Part 3 - 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:-

- o 21-050-P-100A - Site Location Plan;
- o 21-050-P-105 - Existing Site Sections;
- o 21-050-P-110C - Proposed Site Layout;
- o 21-050-P-115A - Proposed Street Scenes - Site Section;
- o 21-050-P-120B - Proposed Plans & Elevations - HOUSE TYPE A (2b4p);
- o 21-050-P-121B - Proposed Plans & Elevations - HOUSE TYPE B (3b5p);
- o 21-050-P-122B - Proposed Plans & Elevations - HOUSE TYPE C (3b5p CAT 3);
- o 21-050-P-DAS - Design and Access Statement Rev B; and
- o 220222JC-01 - Topographical Survey.

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 Places for Everyone joint development plan, the Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 No development shall take place, excluding works of site clearance and demolition of the existing buildings on site, until such time as a scheme for the provision of affordable housing on the site, in line with the definition contained in Annex 2 of the National Planning Policy Framework, has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall subsequently be provided in accordance with the approved scheme and retained as such thereafter.

For the avoidance of doubt, the scheme shall include the following:

- a) The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing;
- b) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing, including the proposed mechanism for the recycling of subsidy to deliver additional affordable housing in the future;
- c) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced;

This condition shall cease to apply (and shall be of no further effect) to any dwelling in respect of which the full equity has been acquired by the individual owner/purchaser and/or their mortgagee OR any dwelling in respect of which a statutory or voluntary right to buy or acquire has been exercised.

Reason: For the avoidance of doubt and to ensure the delivery of a 100% fully affordable residential development.

Reason for pre-commencement condition: It needs to be confirmed prior to commencement that the development will be delivered as a 100% affordable housing scheme, as it is currently not subject to any planning obligations on the understanding that it will be developed for transfer to a registered social housing provider.

- 4 No development shall take place (including any site clearance or preparation works) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this shall include the following:
- a. the route of access and parking of vehicles of site operatives and visitors;
 - b. loading and unloading of plant and materials;
 - c. storage of plant and materials used in constructing the development;
 - d. the erection and maintenance of security hoarding;
 - e. measures to protect surrounding sensitive receptors from noise, vibration and fugitive dust & debris both during and after the demolition and construction phase, including pollution pathways to controlled waters; and,
 - f. measures to prevent the spread of mud including barrier protection and wheel washing facilities;
 - g. the methodology for felling and removal from site of existing trees;
 - h. details of any functional lighting of the site during the construction phase of the development; and
 - i. Details of construction hours, including deliveries, which, for the avoidance of doubt, shall be limited to 08:00-18:00 Monday - Friday, 09:00-14:00 on Saturdays and no work on Sundays or Bank Holidays.

The approved method statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved method statement without the prior written permission of the Local Planning Authority.

Reason: To minimise detrimental effects to the amenity of surrounding residential occupiers and the natural environment during the construction phase, along with reducing dangers to highway safety in accordance with Policies DM1, T2, G7 and G9 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-G9 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for Pre-Commencement: Site clearance poses a threat to the surrounding natural environment and to surrounding occupiers and a scheme therefore needs to be agreed in advance of any works taking place.

- 5 Notwithstanding the requirements of Condition 4, no development other than works of demolition of existing buildings on site shall take place until such time as a strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy must include the following components:

1. A site investigation scheme, based on submitted documents, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority.

The development hereby approved shall not be carried out otherwise than in accordance with the approved details.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with policies G8 & G9 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.

- 6 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, Policy JP-G9 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 7 No development, including works of demolition and site clearance, shall take place until the trees that are to be retained within the site have been enclosed with temporary protective fencing and temporary ground protection has been fully installed in full accordance with BS:5837:2012 'Trees in relation to design, demolition and construction' and with the recommendations contained within the approved Arboricultural Method Statement ref. 21/000092/AMS/REVB by We Know Services dated March 2022.

The necessary protection measures shall be retained throughout the construction phase of the development and no work, excavation, tipping, or stacking/storage of materials shall take place beyond such protective fencing during the construction period.

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

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, G1, G6 and G7 of the adopted Rochdale Core Strategy Policies JP-P1, JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 8 No development, including works of demolition and site preparation, shall take place until a detailed method statement for the removal or long-term management/eradication of Himalayan Balsam and any other invasive species that are found on the site has been submitted to and approved in writing by the local planning authority. The method statement shall include measures to prevent the spread of Himalayan Balsam and any other invasive species during any operations such as mowing, strimming or soil movement, and measures to ensure that any soils brought to the site are free of the seeds/roots/stems of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall be carried out in accordance with the approved method statement.

Reason: In accordance with adopted Places for Everyone joint development plan policy JP-G8 and policy G7 of the adopted Rochdale Core Strategy, in respect of ensuring the satisfactory treatment and disposal of invasive plant species which, under the terms of the Wildlife & Countryside Act 1981 (as amended) it is an offence to be caused to be spread in the wild.

Reason for pre-commencement condition: Construction activity increases the risk of invasive species spreading.

- 9 No development shall take place (including any site clearance, demolition or preparation works) until a reasonable avoidance measures statement for hedgehog and other small mammals has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved statement thereafter.

Reason: In order to minimise potential risk to protected species and in accordance with Policy G7 of the adopted Rochdale Core Strategy, policy JP-G9 of the adopted Places for Everyone development plan and the National Planning Policy Framework.

Reason for pre-commencement condition: site clearance poses a potential threat to protected species of small mammal and protective measures must therefore be agreed in advance.

- 10 No development shall take place (excluding the demolition of existing structures and site clearance) until such time as;
a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Subsequently, no part of the development shall be occupied or brought into beneficial use until a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development is submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the safety of the site from coal mining risks during and after construction in accordance with adopted Places for Everyone joint development plan policy JP-P1, policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: It is necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development.

- 11 No development shall take place until a 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. For the avoidance of doubt, a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete shall be provided, alongside identification of any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing by, the local planning authority before any of the buildings hereby approved are first occupied. For the avoidance of doubt, the report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers and to ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution and contaminated land in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan 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 and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of ground or water pollution.

- 12 No development, other than works of demolition and site preparation, shall take place until such time as details of a sustainable surface water drainage scheme and a foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The drainage scheme shall include:

- i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public combined sewer, the rate of discharge shall be restricted to 5 l/s
- iii. Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD.
- iv. The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.
- v. Mitigation measures to manage the risk of sewer surcharge where applicable.
- vi. Construction details for permeable paving including kerb edging and sub-base details i.e. cross-sections, if this type of paving forms part of the sustainable drainage system.
- vii. Provision of a Maintenance Document explaining how the surface water scheme will be maintained and managed after completion.

For the avoidance of doubt, foul and surface water shall drain on separate systems at least to the point of discharge from the site, in accordance with Building Control Part H Drainage requirements.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation/ use of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

For the further avoidance of doubt, no drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall then not be carried out otherwise than in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution through mobilised contaminants and 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 Policies G8 & G9 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

- 13 Notwithstanding any details included within the approved plans by virtue of Condition 2 of this permission, no development (other than works of demolition and site preparation) shall take place until finished floor levels for the proposed buildings and finished ground levels across the site 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

Reason for pre-commencement condition: An understanding of proposed levels in relation to existing levels is required prior to commencement of any relevant engineering operations on site.

- 14 No development, other than works of demolition and site preparation, shall take place until such time as a detailed piling and foundation design which relies on penetrative methods has been submitted and approved. Piling or other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that any new or existing boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with Position Statement J of the 'The Environment Agency's approach to groundwater protection', Policies G8 & 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: An understanding of any piling and ground penetrative foundation designs and their potential to impact on pollution pathways controlled waters is required in advance of any such works taking place to allow for a suitable preventative and remediation strategy to be developed.

- 15 No development shall take place until such time as a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes

shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected, and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the development hereby approved.

Reason: To ensure that any new or existing boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 180 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection', Policies G8 & G9 of the adopted Rochdale Core Strategy, saved Policy EM/8 of the adopted Rochdale Unitary Development Plan, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: An understanding any proposed or existing boreholes and their potential to impact on pollution pathways to controlled waters is required in advance of any such works taking place to allow for a suitable preventative and remediation strategy to be developed.

- 16 Notwithstanding any description of materials in the application, no above ground works shall take place until such time as a detailed specification of materials to be used externally in the construction of the development have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and shall include large scale drawings of brickwork detailing where it is proposed at a scale not less than 1:20. The development shall be carried out in accordance with the duly approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 17 No Solar Photo-Voltaic Panels shall be installed in the dwellings hereby approved unless full details and specifications including large scale drawings at a scale of not less than 1:50 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 thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 18 Notwithstanding any description in the application, no above ground works shall take place until full product specifications for the windows, external doors, roof lights, spandrel panels and detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details thereafter.

For the avoidance of doubt, the submitted details shall include RAL colour numbers and finish details.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 19 Notwithstanding any description in the application or approved plans, no above ground works shall take place until full details of the design and placement of any pipework, meter boxes or flues (as necessary) to be fixed to the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be duly implemented and retained as such thereafter.

For the avoidance of doubt, pipework and meter boxes should wherever possible be located away from the principal building elevations.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 20 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 adopted Rochdale Core Strategy Policies G6 and G7, Policies JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 21 No above ground works shall take place until a scheme of biodiversity enhancements for the site as set out in Section 9.8 of the Preliminary Ecological Appraisal by Arbtech dated 24.04.24 has been submitted to and approved in writing by the Local Planning Authority. 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 adopted Rochdale Core Strategy Policies G6 and G7, Policies JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 22 Notwithstanding any details submitted as part of the application, 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. The development shall be carried out in accordance with the duly approved details prior to the first occupation of the development to which the submission relates and the structures shall thereafter be retained.

For the avoidance of doubt, the submitted details shall include construction level drawings of all retaining walls and structures indicated on the approved plans.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 23 No part of the development shall be occupied until such time as the car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted have been made fully available for use. The arrangements shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and the free flow of traffic and in accordance with policies T2 and DM1 of the adopted Rochdale Core Strategy, Places for Everyone joint development plan policy JP-P1 and the National Planning Policy Framework.

- 24 No dwellings hereby approved shall be occupied upon completion until such time a Management and maintenance plan for area for communal areas including the communal parking areas and areas of planting that lie out of curtilage has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a ensure a satisfactory standard of visual amenity and repair for the lifetime of the development in accordance with CS policies DM1 and P3, PFE policy JP-P1 and the National Planning Policy Framework.

- 25 The development hereby approved shall not be carried out otherwise than in accordance with the recommended glazing and wall ventilation specifications as detailed in the Noise Assessment ref. E19371. BS8233 by SBM Safety Solutions, dated 04.09.22.

Notwithstanding the above, no dwelling shall be occupied on completion until such time as validation testing has been undertaken in the residential units to demonstrate that the following internal noise levels are being achieved.

- o 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- o 30dB(A) Leq 8 hour in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- o 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;
- o 40dB(A) Leq (16 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times; and
- o Noise in external amenity areas shall not exceed 55 dB(A).

No part of the development shall be occupied until such time as a report providing details of the implemented acoustic mitigation measures, and demonstrating that internal noise levels within habitable rooms meet the levels set out above, has been submitted to and approved in writing by the Local Planning Authority. The duly installed mitigation measures shall be retained thereafter.

Reason: In the interests of safeguarding the living conditions of future residents in accordance with Places for Everyone Joint Development Plan policy JP-P1, policies DM1 & G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 26 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 dwellings hereby approved shall not be altered or extended, under Schedule 2, Part 1 Class A of the above order, insofar as it relates to permitted development rights for two storey rear extensions, unless planning permission has been granted for such works on application to the Local Planning Authority.

Reason: In the interests of residential and visual amenity in compliance with PFE policy JP-P1, policies DM1 and P3 of the adopted Rochdale Core Strategy, the Guidelines

and Standards for Residential Development SPD (2016) and the National Planning Policy Framework.

- 27 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 dwellings hereby approved at Plots 1, 4, 5, 14, 15 & 20 shall not be altered or extended, under Schedule 2, Part 1 Class B, of the above Order, insofar as it relates to side dormers, unless planning permission has been granted for such works on application to the Local Planning Authority.

Reason: In the interests of residential and visual amenity in compliance with PfE policy JP-P1, policies DM1 and P3 of the adopted Rochdale Core Strategy, the Guidelines and Standards for Residential Development SPD (2016) and the National Planning Policy Framework.

- 28 The development hereby approved shall not be carried out otherwise than in accordance with the recommend measures within section 5.2 - 5.4 of the Preliminary Survey & Assessment in Respect of Bat Species, and Nesting Birds by Echo Calls, dated October 2023.

Reason: In the interests conserving protected species in accordance adopted Rochdale Core Strategy Policies G6 and G7, Policies JP-G6 and JP-G7 of the adopted Places for Everyone Joint 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 26 August 2025

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: [Fees for Planning Applications in England](#)

INFORMATIVE:

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:

www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk) In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

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. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for 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 permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

In order to ensure that the development is safe to use and access and to reduce the risk of crime, the development should be carried out in accordance with the physical security measures specified in the approved Crime Impact Statement (ref: 2023/0170/CIZ/0) unless otherwise noted in the accompanying Officer's Report.