

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/00466/FUL

Name and address for correspondence:	Applicant name:
Mr Rhys Bradshaw DLP Planning Ltd 18 Regent Place Rugby CV21 2PN	Ball Cornerstone Place

Part I - Particulars of Application

Date of 19 July 2023
Application:

Proposal:	Erection of 3 blocks (1 no. single storey and 2 no. two storey) of 14 no. 1 bedroom apartments (Use Class C3) including associated landscaping
Location:	Land Off Whitworth Road And Grasmere Street, Rochdale

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:

- a) Location Plan drawing no 3000
- b) Proposed Site Plan drawing no 3010 P03
- c) Proposed Boundary Treatment drawing no 3011 P02
- d) Block A Plans drawing no 3511 P02
- e) Block A Elevations drawing no 3512 P02

- f) Block B Plans & Elevations drawing no 3521 P02
- g) Block C Plans & Elevations drawing no 3531 P02
- h) Proposed Street Elevations drawing no 3201 P01
- i) Proposed 3D Perspectives drawing no 3501 P01

The development shall be carried out in accordance with the drawings/documents 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 development shall take place until details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be in general accordance with the preliminary designs indicated on drawings PGS388-C-100/P2 and PGS388-C-101/P2 (both dated 16.8.2022) and shall include confirmation of United Utilities approval of the 3no. sewer connections to the public sewer.

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: 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.

- 4 No part of the development shall be occupied until a sustainable drainage management and maintenance plan for the lifetime of the development has been submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. 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, 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.

- 5 No demolition or vegetation clearance including trees, shrubs and undergrowth (e.g. bramble) shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policies G7 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 6 No development shall take place until the proposals for protecting retained trees as described in the Arboricultural Report (ref: PM/BS/29/11/21) have been implemented in full. 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 prior written approval of the Local Planning Authority. If any retained tree is removed, uprooted or destroyed or dies within a period of 5 years after planting, another similar size and specie of tree shall be planted at the same place in the next planting season.

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, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Protection measures for retained trees are required to be in place prior to commencement to ensure no damage is caused.

- 7 The development shall be carried out in accordance with the approved Crime Impact Statement (ref: APM 0102.22 v1.0, March 2022).

Reason: In order to ensure that the development is safe to use and access and to reduce the risk of crime, in accordance with Core Strategy Policy C3 and the National Planning Policy Framework.

- 8 Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used externally on the buildings and the boundary treatments 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. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

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

- 9 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. The structures shall thereafter be retained.

Reason: In the interests of visual appearance, amenity, highway safety and ecology in accordance with adopted Rochdale Core Strategy policies DM1, P3, T2 and G7 and the National Planning Policy Framework.

- 10 No development shall take place until a Noise Impact Assessment is submitted to and approved in writing by the Local Planning Authority which provides the following internal noise levels within the habitable rooms:

- 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.

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 ensuring a satisfactory standard of residential amenity for future occupiers in accordance with adopted Rochdale Core Strategy policies DM1 and G9 and the National Planning Policy Framework.

Reason for pre-commencement condition: An understanding of what mitigation measures will need to be put in place to protect the amenity of future occupiers.

- 11 No development shall take place until a Construction Environment Management Plan (CEMP), which shall include details of the following, has been submitted to, and approved in writing by the Local Planning Authority:

- a) the parking of vehicles of site operatives and visitors;
- b) access arrangements, as well as turning/manoeuvring facilities, delivery management, vehicle routing and traffic management;
- c) hoardings and scaffolding;
- d) loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development;
- f) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- g) wheel washing facilities;
- h) measures to control the emission of dust and dirt during construction;
- i) a scheme for recycling/disposing of waste resulting from construction works;
- j) hours for deliveries to and construction of the site which shall be as follows:
 - i. Monday Friday 07:30-18:00
 - ii. Saturday 09:00-14:00
 - iii. No work on Sundays or bank holidays
- k) measures to maintain the existing car parking provision

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

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, P3, T2, G8 and G9 of the adopted Rochdale Core Strategy and 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 residents the surrounding environment and the functioning of the highway network prior to commencement of any building or engineering works on site.

- 12 No development shall take place until a photographic survey showing the pre-development photographic condition of the immediate highway surrounding each block at 5 metre intervals along its length, accompanied by a scheme for the resurfacing and/or repair of any potholes or areas of the road surface which have deteriorated in the intervening period (between pre and post development), shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation, the approved works of resurfacing and/or repair shall have been implemented in accordance with the details in the duly approved scheme.

Reason: Construction traffic associated with the development has the potential to cause further deterioration of the road's surface. The developer is required to undertake works of repair to the road surface where deterioration arises as a result of its use by heavy construction vehicles in order to facilitate safe and convenient access and circulation for vehicle traffic in accordance with the requirements of Policy T2 of the adopted Core Strategy.

Reason for pre-commencement condition: To ensure safe access from the highway during construction and operation of the development.

- 13 No part of the development shall be occupied until a detailed specification for the design and construction of the associated hardstanding areas, including detail of the surface water drainage strategy and surfacing materials, has been submitted to and

approved in writing by the Local Planning Authority. The hardstanding areas shown on the approved plans shall be constructed in accordance with the approved details before the associated development is first occupied, and shall be retained thereafter for their intended purpose.

Reason: To ensure the suitable disposal of surface water in order to comply with the requirements of policies DM1 and G8 of the adopted Rochdale Core Strategy, saved policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 14 No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. The report of the findings must include:

- i) a survey of the extent, scale and nature of contamination, whether or not it originates on the site;
- 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)

The development shall thereafter be completed in full accordance with the approved recommendations.

Reason: To ensure the safe development of the site in the interests of the amenity of existing residents and future site occupiers, and of the environment, 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.

- 15 No development shall take place until finished floor levels for the proposed buildings and proposed site levels 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: An understanding of proposed levels in relation to existing levels is required prior to commencement of any relevant engineering operations on site.

- 16 No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to, provision for bat, bird, bug boxes and native tree and shrub planting 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.

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 and to ensure that there is a net gain in biodiversity, 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.

- 17 No part of the development shall be occupied until such time as full details of the construction and design of the bicycle store and bin store, as shown on approved plan ref. 3010 P03, has been submitted to and approved in writing by the Local Planning Authority. No part of the building shall be occupied until such time as the duly approved facilities have been constructed and made available for use; the bin and bicycle stores shall be retained as constructed for their intended use thereafter.

Reason: To ensure that adequate and satisfactory provision is made for bin storage and bicycle parking and in order to encourage alternative modes of travel to the site apart from the motor car or other motorised vehicles, in accordance with policies DM1, G9 and T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

- 18 Notwithstanding any detail shown on the approved plans, and before the development is first brought into use, a footway width of 1.8m shall be maintained along the development frontage onto Grasmere Street.

Reason: In order to ensure that the development is safe to use in accordance with Core Strategy Policy C3 and the National Planning Policy Framework.

- 19 The initiatives contained in the approved Travel Plan shall be implemented before the first occupation of any dwelling unless otherwise agreed in writing by the Local Planning Authority and shall continue to be implemented thereafter.

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

- 20 The bedroom window in the south facing elevation of Apartment A8 of Block A (as identified on drawing nos. 3010 P03; 3511 P02 and 3512 P02) shall be non-opening and obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before the apartment is first occupied, and retained as such thereafter.

Reason: In order to protect the privacy of future resident of the apartment and of the occupiers of surrounding residential properties in accordance with the requirements of Core Strategy Policies C3, P3 and DM1.

Procedure Statement:

The Local Planning Authority worked proactively with the applicant to identify various solutions during pre-application discussions 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 21 March 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.

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.