ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 21/00308/FUL

Name and address for correspondence:	Applicant name:
Mr Andrew Clarke Cannon Clarke Architects Ground Floor Rear Office Norwich NR1 1UH United Kingdom	Garvey

Part I - Particulars of Application

Date of Application: 2 March 2021

Proposal:	**Erection of 1 no. two-storey dwelling**
Location:	**Land At 4 Gipsy Lane, Rochdale, OL11 3HA**

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 and Site Plan as Proposed - PL-001 - received 01.06.2021
- Tree Survey Plan - Drawing No: RTS/27122020/TCP 001 - received 01.06.2021
- Tree Protection Plan - Drawing No: RTS/27122020/TPP 003 - received 01.06.2021
- Topographical Survey - CCA.TS.01
- Plot 1; House Drawings as proposed - PL-003

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 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 dwellings have first been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt natural slate shall be used for the roof coverings rather than roofing tile. The development shall be carried out in accordance with the approved details prior to the occupation of each dwelling.

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 part of the development shall be occupied until a specification for the design and construction (including surface treatment and drainage) of the access roads and parking areas has been submitted to and approved in writing by the Local Planning Authority. The access roads and parking areas shall be constructed in accordance with the duly approved details before the dwelling are first occupied, and retained thereafter at all times for the parking of vehicles.

Reason: In order to ensure there is adequate provision for vehicles to be parked clear of the highway and to achieve an appropriate surface treatment for parking areas in order to comply with the requirements of Policy DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

5 No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between 08:00 hours and 18:00 hours Monday-Friday and between 09:00 hours and 14:00 hours on Saturdays.

Reason: In order to safeguard the amenities of occupiers of surrounding properties during the course of construction of the development and to limit the potential for unacceptable noise and disturbance at unsocial hours in accordance with the requirements of Policy G9 of the adopted Core Strategy and the National Planning Policy Framework.

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 and the National Planning Policy Framework

7 The dwelling hereby approved shall be designed and constructed to ensure that internal and external noise levels do not exceed:

o 35 dB(A) Leq (1 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
o 30dB(A) Leq 5mins in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
o 35 dB(A) Leq (1 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;
o 40dB(A) Leq (1 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.

Noise in external amenity areas shall not exceed 55 dB(A).

The dwelling shall not be occupied until an acoustic verification report has been submitted to and approved in writing by the Local Planning Authority demonstrating 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 from the Baettry Energy Facility to the rear and in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8 Prior to first occupation of the development hereby approved, a scheme to provide a minimum of three bird nesting boxes on retained trees and on structures, and the provision for a minimum of three bat roosting boxes (bat boxes and integral features for bats in new structures) shall be submitted to and approved in writing by the Local Planning Authority. The boxes and features so approved shall be installed prior to first occupation and shall be retained thereafter.

Reason: In order to ensure biodiversity enhancements as part of the development in accordance with the requirements of policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

9 No development shall take place until the trees to be retained as shown on submitted plan 'Drawing No: RTS/27122020/TPP 003 - received 01.06.2021' have been enclosed with temporary protective fencing in accordance with BS: 5837:2012 'Trees in relation to design, demolition and construction'. The fencing shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees adjacent to the site in the interests of the amenities of the area and in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Preparatory and ground works have the potential to damage trees and therefore protective measures must be in place before any development takes place.

10 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, the development shall not be occupied until a landscaping scheme for the site (including elements of both 'hard' and 'soft' landscaping) is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of all hard surfaced areas and the type, species, siting, planting distances and programme of planting of any trees and shrubs as well as details of both temporary and permanent root protective surfaces. 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. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced 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 to secure biodiversity enhancement in accordance with policies P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11 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:
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 inform a remediation strategy for the site.

If the risk assessment includes a remediation strategy for the site, no dwelling shall be occupied until a verification report for that plot has been submitted to and approved in writing by the Local Planning Authority.

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 condition would ensure safe development of the site in the interest of future occupiers, and to prevent pollution of the water environment.

12 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 the siting, design and materials to be used in the construction of walls or fences for boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority. To clarify, boundary fences should be ecologically permeable with gaps below gravel boards/at ends of concrete footings to allow passage of small mammals such as hedgehog. The approved boundary treatments shall be erected before each dwelling hereby approved is first occupied.

Reason: In the interests of amenity and biodiversity and in compliance with Policies P3, G7 and DM1 of the adopted Rochdale Core Strategy of the Rochdale Unitary Development Plan and the requirements of 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 15 December 2021

MR Rose

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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.

All UK bats and their resting places are specially protected, and therefore it is recommended that the trees to be removed are subjected to further close inspection for bats prior to any felling work commencing. If bats are found, all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.