



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00973/FUL

Name and address for correspondence:	Applicant name:
Dr M Munshi Munshiandpartners No 3 Caxton Road Suite 9 Preston PR2 9ZZ United Kingdom	Mr Naeem Akhtar

Part 1 - Particulars of Application

Date of 22 October 2024
Application:

Proposal:	Erection of one dwelling with associated landscaping works, boundary treatment and new vehicle access following demolition of existing dwelling
Location:	385 Bury And Rochdale Old Road, Heywood, OL10 4AT,

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:-

- Site - Location and Block Plan. Dwg no. 001. Date 02-25
- Existing Floor Plans. Dwg no. 002. Date 02-25
- Existing Roof Plan. Dwg no. 003. Date 02-25
- Existing Front & Left Side Elevations. Dwg no. 004. Date 02-25
- Existing Rear & Right Side Elevations. Dwg no. 005. Date 02-25
- Proposed Site Plan. Dwg no. 006. Rev A
- Proposed Ground Floor. Dwg no. 007. Rev A
- Proposed First Floor Plan. Dwg no. 008. Rev A
- Proposed Front & Left Side Elevations. Dwg no. 010. Rev A
- Proposed Rear & Right Side Elevations. Dwg no. 011. Rev A
- Existing & Proposed Street Scene Elevation. Dwg no. 014. Date 02-25
- Proposed Landscape Layout Plan and Elevation. Dwg no. M3907-PA-01-V2

and the development shall be carried out in accordance with these drawings hereby approved unless otherwise required by the conditions below.

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 Places for Everyone Joint Development Plan, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 No development (including any demolition, site clearance or preparation works) shall take place until such time as a Tree Protection Plan and Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority.

Any measures identified within the Plan or Statement shall be installed in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction' prior to any works taking place.

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: 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.

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

- 4 Notwithstanding the details shown on the approved plans no above ground construction works shall take place until full details of all hard landscaping works including driveways and patios have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt areas of hardstanding shall be

permeable unless an assessment of the drainage hierarchy has been undertaken and submitted to the Local Planning Authority.

The development shall be undertaken in accordance with the approved details prior to the first occupation of the development.

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, policy JP-S4 of the Places for Everyone Joint Development Plan, saved policies EM7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 5 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 building(s) 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.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies DM1 and P3 of the adopted Rochdale Core Strategy, policies JP-G9 and JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 6 No above ground works shall take place until full product specifications for the windows, external doors, 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.

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

- 7 No above ground works shall take place until a scheme of biodiversity enhancements for the site including the specification and location of not less than two integrated bird boxes and one integrated bat box, has been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby approved shall be occupied until such time as the duly approved biodiversity enhancement measures have been installed in accordance with the duly approved detail.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with policy G7 of the adopted Rochdale Core Strategy, policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 8 Notwithstanding the details shown on the approved plans, no above ground construction shall take place until full details of compensatory tree planting at a ratio of 2:1 and full soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include 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 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 planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 10 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 Core Strategy Policy G6 and G7 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 12 March 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: £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 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 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.

INFORMATIVE:

Bats and their roosts, even when unoccupied, are protected at all times even when disturbance occurs as the result of an otherwise lawful activity such as a planning permission. If bats are found or suspected at any time work should cease until advice has been sought and implemented from the licenced ecologist. The LPA and Natural England should also be informed.

INFORMATIVE:

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). Work that will impact on habitats where nesting birds may be present (for example building demolition or the removal of vegetation), should not be undertaken in the main bird nesting season (March - August) unless suitable checks for active bird nests have been undertaken.