ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 20/01189/FUL

Name and address for correspondence:	Applicant name:
Mr Paul Clark CJ Partnership Blue Pit Mill Queensway Castleton Rochdale OL11 2PG	Paul H & C Brennan and S AshworthBirtle Riding Centre

Part I - Particulars of Application

Date of Application: 15 October 2020

Proposal:	**Residential development - erection of 6 dwellinghouses following demolition of existing indoor and outdoor manege and two stable buildings**
Location:	**Higher Elbut Farm, Birtle Riding Centre , Elbut Lane, Heywood, BL9 7TU**

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:

- Site Location Plan ref. 3549 23
- PDL Plan ref. 3549 24 B
- Proposed Site Layout ref. 3549 02 J
- Proposed Site Layout Landscape Strategy ref. 3549 11 B

- Proposed House Plans Plot A ref. 3549 09 A
- Proposed House Plans Plot B ref. 3549 12 A
- Proposed House Plans Plot C ref. 3549 06 A
- Proposed House Plans Plot D ref. 3549 03 B
- Proposed House Plans Plot E ref. 3549 14 A
- Proposed House Plans Plot F ref. 3549 17 B
- Proposed Cross Sections ref. 3549 22 B
- Proposed Elevations Plot A ref. 3549 10 A
- Proposed Elevations Plot B ref. 3549 13 A
- Proposed Elevations Plot C ref. 3549 07
- Proposed Elevations Plot D ref. 3549 04 A
- Proposed Elevations Plot E ref. 3549 15 A
- Proposed Elevations Plot F ref. 3549 18 A

and the development shall be carried out in accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3 Notwithstanding any details shown on the approved plans and documents and the requirements of condition 2 of this permission, within three months of development first taking place a landscaping scheme for the site shall be 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 and soft landscaping including surfaced areas and the type, species, siting, planting distances and programme of planting of any trees and shrubs. The approved landscaping scheme shall be carried out within 12 months of the dwellinghouse first being occupied and the areas which are landscaped shall be retained as landscaped areas thereafter. 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: In order to achieve a satisfactory level of landscaping and provision of adequate off-road parking facilities for the development in the interests of visual amenity and highway safety in accordance with the requirements of Policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (1 March - 31 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.

5 Prior to the commencement of the approved development (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

a) Locations of retained trees and root protection areas of these trees.

b) A specification for protective fencing to safeguard retained trees during demolition, groundworks and construction phases and a plan indicating the location and alignment of the protective fencing.
c) Specifications of signage clearly defining tree protection areas.
d) Location and installation of services/ utilities/ drainage.
e) Methods of demolition and/or ground clearance which may be required within the root protection areas (RPA as defined in BS 5837: 2012) of the retained trees.

f) Details of any required construction within the RPA or that may impact on the retained trees.
g) A full specification for the installation of boundary treatment works which may affect trees.
h) Methodology and detailed assessment of any required root pruning
i) Details of Arboricultural site supervision and inspection by a suitably qualified tree specialist
The development thereafter shall be implemented in strict accordance with the approved details.

Reason: In order to protect the existing trees on the site during demolition and construction 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 of any works on site to ensure no damage is caused.

6 No development, including site preparation, demolition or any earthworks, shall take place until a Method Statement for the eradication/control/avoidance of himalyan balsam which falls within the development site, including a timetscale for its implementation, has been submitted and approved in writing by the Local Planning Authority. The agreed Method Statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory treatment and disposal of the invasive plant species Himlayan Balsam, 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, and in accordance with the requirements of Policies G6 and G7 of the adopted Rochdale Core Strategy and the and the National Planning Policy Framework..

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

7 No above ground works, other than demolition, shall take place until a Biodiversity Enhancement Plan has been submitted to and approved by the Location Planning Authority. This plan shall ensure biodiversity net gain and include:
- Quantities and locations of faunal boxes for birds and bats
- Details of native shrub/tree/grass/hedgerow planting
- Incorporation of gaps in fencing to allow movement for hedgehogs and other small mammals.

The development shall be undertaken in accordance with the approved Plan and the measures retained thereafter.

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

8 No development shall take place until a comprehensive scheme of works for the formation of vehicular access from Elbut Lane, to include construction level drawings showing existing and proposed levels relative to off-site datum and materials, has been submitted to and approved in writing by the Local Planning Authority. The access shall be completed in accordance with the approved scheme and the timescales embodied within it.

Reason: In order to provide safe, secure access to the development in the interests of highway safety, in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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

9 No part of the development shall be occupied until a scheme for the self-enforcing 20 mile per hour zone into and throughout the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of highway safety in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

10 No part of the development shall be occupied until the required visibility splays are cleared and maintained thereafter in accordance with the Transport Statement (dated September 2020) and the Visibility Splay therein (ref: 2197-001 Rev A)

Reason: In the interests of highway safety in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11 No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the unadopted roads within the development has been submitted to and approved by the Local Planning Authority. The unadopted road shall thereafter by maintained in accordance with the approved management and maintenance details.

Reasons: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

12 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 and the National Planning Policy Framework

13 a) No development shall commence, other than demolition works, until a foul drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The foul water drainage scheme shall be based on the Drainage Strategy Plan Ref. 3346-SHD-00-ZZ-DR-C-0100 Rev P3 dated 25.08.20. Additional details of the selected option, either sewage pumping station or packaged sewage plant will need to be included in the submission.

b) Unless otherwise agreed in writing with the Local Planning Authority, the surface water drainage scheme shall be based on Drainage Strategy Plan Ref. 3346-SHD-00-ZZ-DR-C-0100 Rev P3 dated 25.08.20. The applicant shall provide a copy of a Maintenance Document explaining how the surface water scheme will be maintained and managed after completion.

The approved scheme shall be implemented prior to the first occupation of the dwelling hereby permitted and shall be retained as such thereafter.

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

14 No development shall take place until a Construction Risk Method Statement (CRMS), for the construction phase and also the lifetime of the proposed development, is submitted to and approved in writing by the Local Planning Authority. The statement shall outline the potential impacts/risks from all construction activities and detail the protection measures for the existing pressurised water main lying within the site boundary that will be required for i) he construction phase ii) the lifetime of the development, with particular regard to the load bearing impacts of materials/heavy duty vehicles, changing land levels, landscape and planting proposals, vibrations, disturbance and health and safety considerations.

Protection measures should be in line with the guidance found within United Utilities' 'Standard Conditions for works adjacent to Pipelines (dated July 2015). All mitigation measures must be implemented in accordance with the approved CRMS and retained as such thereafter.

Reason: To protect the existing United Utilities infrastructure, public safety and drinking water supplies for the wider area in accordance with Policy G8 of the adopted Rochdale Core Strategy, Policy EM/7 of the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

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

15 No development shall take place until a Phase II investigation and risk assessment (in addition to the Phase I report provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

i) a survey of the extent, scale and nature of contamination
ii) an assessment of the potential risks to:
o human health,
o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
o adjoining land,
o groundwaters and surface waters,
o ecological systems,
o archaeological sites and ancient monuments;
iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with policies G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement: An understanding of necessary remedial works is required before works start on site in order to ensure that comprehensive and appropriate remediation is undertaken from the commencement of engineering operations.

16 Notwithstanding any description of materials in the application no above ground works, other than demolition, shall take place until samples and/or full specification (including type, colour and texture) of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority and shall include:

- External walls - masonry - detailed product specifications, including finish details, to be submitted and agreed.
- External walls - timber cladding - detailed product specifications, including finish details, to be submitted and agreed.
- Roofing materials - detailed product specifications, including finish details, to be submitted and agreed.
- Rainwater goods - detailed product specifications, including finish details, to be submitted and agreed.
- Windows - detailed product specifications, including elevation and cross sectional drawings and finish details, to be submitted and agreed.
- Roof lights - detailed product specifications, including elevation and cross sectional drawings and finish details, to be submitted and agreed.
- Doors - detailed product specifications, including elevation and cross sectional drawings and finish details, to be submitted and agreed.

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.

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

Reason: To limit visual impacts on the landscape and in the interests of amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

18 No part of the development shall be occupied until a refuse collection strategy has been submitted to and approved in writing by the Local Planning Authority. The collection of refuse from the site shall be undertaken in accordance with the approved scheme thereafter.

Reason: In order to ensure adequate refuse collection from the site and to protect highway safety and in accordance with Policy DM1 of the adopted Rochdale Core Strategy and policy in the National Planning Policy Framework

19 No development, other than demolition and site clearance and preparation, shall take place until details of finished floor levels and external ground levels for each plot, as well as 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 thereafter 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.

20 2Notwithstanding the details shown on the approved plan and the requirements of condition 2 of this permission, within 3 months of development first taking place details of the type, siting, height, design, materials and finish to be used in the construction of boundaries, screens, fences or retaining walls shall be submitted to and approved in writing by the Local Planning Authority. The approved structures shall be erected in

accordance with the approved details prior to any of the dwellings first being occupied and shall be retained as such thereafter.

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.

21 No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include details of the following: -

(i) hours for site preparation, demolition works, delivery of materials and construction;
(ii) the parking of vehicles of site operatives and visitors;
(iii) loading and unloading of plant and materials;
(iv) storage of plant and materials used in constructing the development;
(v) the erection and maintenance of security hoarding;
(vi) wheel washing facilities;
(vii) measures to control the emission of dust and dirt during construction; and

(viii) a scheme for recycling/disposing of waste resulting from construction works.

The approved CMS shall be adhered to throughout the demolition and construction period.

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 demolition and 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 demolition works, 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 and the functioning of the highway network prior to commencement of any building or engineering works on site.

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking, re-enacting or modifying that Order, the dwellings hereby approved shall not be extended and no buildings, structures gates, fences or walls shall be erected within their curtilage under Schedule 2, Part 1, Classes A, B, C, D, E and F and Part 2 Class A and C of the above Order except with the express permission of the Local Planning Authority.

Reason: To protect the Green Belt and Conservation Area, to prevent overdevelopment of the site, to ensure a satisfactory visual appearance, to ensure an adequate standard of amenity and to retain a satisfactory easement to the water main in accordance with Policies G8, P3, DM1 of the adopted Rochdale Core Strategy, Policies EC/7 and EC/8 of the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

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 6 May 2021



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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.

The following British Standards should be referred to:
a) BS: 3998:2010 Tree work - Recommendations
b) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations

Whilst the building to be demolished has been assessed as negligible risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition 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.

With regard to the requirements of condition 2 of this permission, the applicant is advised to contact the Council's Highways Service in order to determine the need for section 38 and/or

278 Agreements under the Highways Act (1980) to secure the adoption of the new access road and for any engineering works within the adopted highway, before any development takes place.