ROCHDALE BOROUGH COUNCIL

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MR FRANK SMITH
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Dear Sir/Madam,

DETERMINATION ON APPROVAL OF DETAILS REQUIRED BY A CONDITION	
Application No:	**20/01381/DOC**
Application Type:	**Approval of detail reserved by condition**
Proposal:	**Submission of details to comply with conditions 3 (materials), 4 (specification of access roads), 5 (CMS), 7 (bird nesting boxes) and 11 (boundary treatment) on planning permission 20/00244/FUL**
Location:	**Land To The Rear Of Langton Terrace, Rochdale, OL11 3QD**

Your application for approval of details reserved by condition(s) has been dealt with and the details are set out below:-

Conditions and Reasons:

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. 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.

Officer response - The materials detail provided on submitted document referenced '20.2181' are acceptable, this condition is therefore satisfied.

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.

Officer response -

The new access roads shown on the Proposed Works drawing have been labelled as gravel surfaced. This will not be acceptable to the Council:- although a gravel road is permeable, they are not appropriate for most urban settings as gravel gets onto the public highway and unless very well maintained, it suffers from weed overgrowth.

The Drainage Officer provided has indicated types of surface that would be acceptable i.e. permeable block paving or permeable tarmac with appropriate low fines sub-base.

Furthermore, the Proposed Works drawing needs a scale bar and distance of 30m from the rail to be marked on the plan (see Condition 6 above).

This condition is not satisfied.

5 No development shall take place (including any site clearance works) until a Construction Method Statement (CMS), which shall include the following has been submitted to, and approved in writing by the Local Planning Authority:

a) loading and unloading of plant and materials;
b) storage of plant and materials used in constructing the development;
c) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
d) wheel washing facilities;
e) measures to control the emission of dust and dirt during construction;
f) a scheme for recycling/disposing of waste resulting from demolition and construction works;
g) measures for the protection of the natural environment from accidental spillages, dust and debris;
h) hours of construction, including deliveries;
i) measures for protection of the existing utility mains within and adjacent to the site; and
j) agreed safe methods of working adjacent to the railway
k) Construction methods to be used; including a risk assessment into the safety, operational needs and integrity of the railway.
l) Details of scaffolding works within 10m of the railway boundary.
m) full details of ground levels, earthworks and excavations to be carried out near to the railway boundary

The approved CMS shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CMS during the 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 and railway safety, during the construction phase in accordance with Policies DM1, T2, G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the development will include site clearance, 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 adjacent premises and users, prior to commencement of any works taking place.

Officer response- The Councls Highways officer has been consulted and states that the applicant need to expand upon the CMS. It should include street sweeping and cleaning at the discretion of the highways officer.

This condition is not satisfied.

7 No development shall take place until a scheme to provide a minimum of six bird nesting boxes on retained trees and on structures has been submitted to and approved in writing by the Local Planning Authority. The boxes and features so approved shall be installed before the commencement of development at the site 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.

Officer response - The condition states the bird boxes should be positioned on retained trees and on structures, however the details submitted show these would be positioned on the proposed dwellings.

This condition is not satisfied.

11 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. For the avoidance of doubt, details of a suitable trespass proof fence adjacent to the boundary with the railway shall also be provided. The approved boundary treatments shall be erected before each dwelling hereby approved is first occupied.

Reason: In the interests of amenity and safety of the future occupiers 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.

Officer response - Network Rail is placing a holding objection on the proposal. The applicant is proposing a 2.6m high acoustic fence at the railway boundary - this is not acceptable to Network Rail.

Any outside party fencing must be set at least 1m from the railway boundary to allow Network Rail to renew and maintain its boundary treatments as we well as ensuring that all part of the proposal fencing including foundations are constructed and thereafter maintained wholly within the applicant's land ownership footprint. In this case the fencing should in fact be a minimum 1.8m high and be trespass proof. New residents of the development (particularly minors) may not be aware of the risks posed by accessing the railway. It would not be reasonable to require Network Rail to fund boundary works, fencing and boundary enhancements necessitated by outside party development adjacent to the railway.

Any proposed fencing over 1.8m in height would need to include review and agreement for wind loading and foundations. The fencing would therefore need to reviewed and agreed with Network Rail.

This condition is not therefore satisfied.

Yours faithfully,



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Signed on behalf of the Council