

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00853/FUL

Name and address for correspondence:	Applicant name:
Mr STEVEN MELLOR WILLIAM MCCALL THE OLD POST ROOM 34 CHEW VALLEY ROAD GREENFIELD, SADDLEWORTH OL3 7DA United Kingdom	Mr C Kong

Part I - Particulars of Application

Date of 23 October 2024
Application:

Proposal:	Proposed erection of one detached dwelling
Location:	Land Adj 40 Andover Avenue, Middleton, Rochdale, M24 1RN

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 the expiration of 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise required by the conditions below:

Drawing LD 07 23 76 - 3 of 4 (Existing Site and Location Plans)
Drawing FP 07 23 76 - 4 of 4 - revision B (Proposed Site plans)
Drawing FP 07 23 76 - 1 of 3 - revision B (Plans and Elevations)
Drawing FP 07 23 76 - 2 of 4 - revision A (Existing and Proposed Street Scene)

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 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.

- 4 During demolition / construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 08:00 and 18:00 Mondays to Fridays and 09:00 to 14:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: To protect the amenities of occupants of nearby properties in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

- 5 Prior to the first occupation of the development hereby approved, the car parking spaces (hardstanding) shall be provided within the site boundary as shown on the approved drawing FP 07 23 76 - 4 of 4 - revision B and made available for the parking of motor vehicles prior to the development first being brought into use, and shall be retained for that sole purpose at all times.

Reason: To ensure adequate car parking arrangements in accordance with policy DM1 of the adopted Rochdale Core Strategy.

- 6 No development shall take place until such time as a scheme for the disposal of foul and surface waters from the site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separately from foul water. The surface water drainage scheme should be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, and include details of how the scheme shall be managed after completion. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface and foul water from the site in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works, these details are required prior to commencement of any building or engineering works on site.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (Schedule 2, Part 1, Classes A, B) or any order revoking and re-enacting that Order, with or without modification, no enlargement, improvement or other alteration of the dwelling which would otherwise be permitted by Part 1 of Schedule 2 (Classes A, B) to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To regulate any future alterations/extensions, in the interests of controlling matters which may be detrimental to the original visual concept and to protect neighbour amenity, in accordance with policy P3 and DM1 of the adopted Rochdale Core Strategy, Places for Everyone Policy JP-P1 and the National Planning Policy Framework.

- 8 Prior to the first occupation of the development hereby approved, the boundary treatment as shown on FP 07 23 76 - 4 of 4 - revision B shall be installed and completed in accordance with the approved details.

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 policies P3 and DM1 of the adopted Rochdale Core Strategy, policies JP-G1 and JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 9 Prior to the first occupation of the dwelling hereby approved, the biodiversity enhancement measures (bird/bat boxes) indicated on the approved drawings shall be installed and retained as approved at all times 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, policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 10 Prior to commencement of the development a Phase I Report (Preliminary Risk Assessment) must be completed to assess the actual and/or potential contamination risks at the site. The Phase 1 Report must be submitted to, and approved in writing by, the Local Planning Authority and shall include a desk top study, site walk over, conceptual model, basic hazard assessment and recommendation regarding the need or otherwise for further investigation and risk assessment.

a) Where the Phase 1 Report has identified potential unacceptable risks, a suitable investigation, risk assessment and remedial action shall be carried out in accordance with details and within a timescale to have first been submitted to and approved in writing by the Local Planning Authority.

b) In the event that contamination is suspected or found at any time when carrying out the approved development that was not previously identified, or contamination is caused, the Local Planning Authority shall be notified immediately and development affected and potentially affected by the contamination must stop. An investigation and/or risk assessment and/or remediation shall be carried out in accordance with an agreed process and within agreed timescales to have first been submitted to and approved in writing by the Local Planning Authority. If contamination is not suspected, found or caused during development, this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development of the site in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and to ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 196 of the National Planning Policy Framework.

- 11 No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the National Planning Policy Framework

- 12 Prior to the first occupation of the development hereby approved, the first floor en-suite bathroom window of the north facing side elevation of the dwelling hereby permitted shall be fitted with obscure glass and the obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy and the window shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason: In the interests of the privacy of occupiers of neighbouring property.

Procedure Statement:

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Date Decision Issued 6 February 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 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.

COAL / MINING REMEDIATION

The development site lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

If any suspected coal mining feature is encountered on site, this should be reported immediately to the Coal Authority on 0800 288 4242. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

The developer must seek ecological advice should they find or suspect that the proposals will impact on protected species during construction.