

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/00339/FUL

Name and address for correspondence:	Applicant name:
Mr Kelly Solid Void 16 Woolfenden Way Wardle ROCHDALE OL12 9SS United Kingdom	Mr Ben Snape

Part I - Particulars of Application

Date of Application: 9 May 2023

Proposal:	Erection of new dwelling, and detached double garage, underground storage and associated landscaping, following demolition of existing dwelling and garage (Part Retrospective) - Resubmission of 22/00635/FUL
Location:	Warren Court , Harefield Drive, Heywood, OL10 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 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:-

Existing Site and Location Plan - WCH-SVA-ZZ-ZZ-DR-A-2000
Proposed Site Plan - WCH-SVA-ZZ-ZZ-DR-A-2001 Rev A
Proposed Drainage Plan - WCH-SVA-ZZ-ZZ-DR-A-2002
Proposed Plans - WCH-SVA-ZZ-ZZ-DR-A-2005 Rev A
Proposed Elevations - WCH-SVA-ZZ-ZZ-DR-A-2010

and the development shall be carried out in complete 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 Within 3 months of commencement of construction, the Applicant shall submit details to be reviewed, and agreed in writing by the Local Planning Authority:-
- (i) Details of the private connection to public sewer for foul sewage.
 - (ii) Details of any soakaways associated with the new development.
 - (iii) Details of any hardstanding (paving) associated with the new development.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation/ use of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. 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, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 4 The development hereby approved shall be constructed in accordance with the materials schedule numbered '2040 PN07 A' received by the Council 05/09/2023.

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.

- 5 No development shall take place until the trees that are to be retained within the site has been enclosed with temporary protective fencing and temporary ground protection has been fully installed in full accordance with BS:5837:2012 'Trees in relation to design, demolition and construction', and the 'Tree Constraints Plan Drawing No CCL09318C/TCP Rev 1, Impact Assessment Plan CCL09318C/IAP Rev 1, Tree Protection Plan CCL 09318C/TPP Rev 1, Proposed Layout Plan CCL09318C/PLP, Proposed Planting Plan CCL 09318C/PPP', submitted 04/04/2023. The necessary protection measures shall be retained during the period of construction and throughout the installation of the temporary development hereby approved 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 and the National Planning Policy Framework.

- 6 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, 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 5 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.

- 7 No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks to be integrated to the fabric of the buildings hereby approved, bug hotels, hibernaculum, wildflower seeding and hedgehog habitat (including provision of 'Hedgehog Highways') has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings and 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 The soil or soil forming materials brought to site for use in (garden areas, soft landscaping and level raising) shall be tested for contamination and suitability for use on site as outlined in the submitted report. The approved contamination testing shall then be carried out and validatory evidence (including soil descriptions, laboratory certificates, photographs) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into first use or occupation.

A watching brief for contamination shall be maintained when carrying out the approved development. If during any works on site contamination is suspected or found or contamination is caused, the Local Planning Authority shall be notified immediately. A suitable investigation and/or risk assessment and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of 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.

A Remediation Verification Report detailing the design and installation of the remedial measures shall be submitted and subject to the approval in writing of the Local Planning Authority prior to the development being brought into occupation or first use.

Reason: 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 and the National Planning Policy Framework.

- 9 Notwithstanding any details submitted as part of the application, no part of the development shall be occupied until details including elevations of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

Date Decision Issued 8 September 2023

Daniela Ripa
Interim 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: £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 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.

1. United Utilities wish to make the following comments regarding the proposal detailed above.

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. Please see 'Contacts' section below. Water pipelines United Utilities will not allow building over or in close proximity to a water main. Wastewater pipelines United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. This will only be reviewed in exceptional circumstances. Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer

will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities (see our website for further details)

Important information regarding water and wastewater pipelines and apparatus

It is the applicant's responsibility to investigate and demonstrate the exact relationship between United Utilities' assets and the proposed development. A number of providers offer a paid for mapping service, including United Utilities (see 'Contacts' section below). The position of the underground apparatus shown on water and wastewater asset maps is approximate only and is given in accordance with the best information currently available. Therefore, we strongly recommend the applicant, or any future developer, does not rely solely on the asset maps to inform decisions relating to the detail of their site and instead investigates the precise location of any underground pipelines and apparatus. Where additional information is requested to enable an assessment of the proximity of proposed development features to United Utilities assets, the proven location of pipelines should be confirmed by site survey; an extract of asset maps will not suffice. The applicant should seek advice from our Developer Services team on this matter. See 'Contacts' Section below. United Utilities Water will not accept liability for any loss or damage caused by the actual position of our assets and infrastructure being different from those shown on asset maps.

Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme. Any agreement to divert our underground assets will be subject to a diversion application, made directly to United Utilities. This is a separate matter to the determination of a planning application. We will not guarantee, or infer acceptance of, a proposed diversion through the planning process (where diversion is indicated on submitted plans). In the event that an application to divert or abandon underground assets is submitted to United Utilities and subsequently rejected (either before or after the determination of a planning application), applicants should be aware that they may need to amend their proposed layout to accommodate United Utilities' assets.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include sustainable drainage features, earth movement and the transport and position of construction equipment and vehicles. Any construction activities in the vicinity of United Utilities' assets, including any assets or infrastructure that may be located outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which is available on our website. The applicant, and/or any subsequent developer should note that our 'Standard Conditions' guidance applies to any design and construction activities in close proximity to water pipelines and apparatus that are no longer in service, as well as pipelines and apparatus that are currently operational. It is the applicant's responsibility to ensure that United Utilities' required access is provided within any proposed layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity.

DRAINAGE

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority: 1. into the ground (infiltration); 2. to a surface water body; 3. to a surface water sewer, highway drain, or another drainage system; 4. to a combined sewer. The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewerage Sector Guidance Appendix C - Design and Construction Guidance v2-2' dated 29 June 2022 or any subsequent iteration. This is important as drainage design can be a key determining factor of site levels and layout. The applicant should not presume that the principles outlined within a drainage strategy will meet the detailed requirements for a successful adoption application.

We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

WATER AND WASTEWATER SERVICES

If the applicant intends to receive water and/or wastewater services from United Utilities they should visit our website or contact the Developer Services team for advice at the earliest opportunity. This includes seeking confirmation of the required metering arrangements for the proposed development. See 'Contacts' Section below. If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the connection(s) will be suitable for the new proposal or that any existing metering arrangements will suffice. In addition, if reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for. In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

To promote sustainable development United Utilities offers a reduction in infrastructure charges for applicant's delivering water efficient homes and draining surface water sustainably (criteria applies). For further information, we strongly recommend the applicant visits our website when considering any water or wastewater design <https://www.unitedutilities.com/buildersdevelopers/your-development/planning/building-sustainable-homes/> Business customers can find additional information on our sustainable drainage incentive scheme at <https://www.unitedutilities.com/Business-services/retailers/incentive-schemes/>

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' Section below.

CONTACTS

Website

For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the 'Live Chat' function, please visit: <http://www.unitedutilities.com/builders-developers.aspx>

Email

For advice on water and wastewater services or to discuss proposals near to pipelines, email the Developer Services team as follows: Water mains and water supply, including metering - DeveloperServicesWater@uuplc.co.uk Public sewers and drainage - WastewaterDeveloperServices@uuplc.co.uk

Telephone - 0345 072 6067 Property Searches (for asset maps): A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a

sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/> Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101.

Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is via the Bat Conservation Trust on 0345 1300 228.

The applicant is reminded that, 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 birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).'