

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00622/FUL

Name and address for correspondence:	Applicant name:
Mrs Deborah Baker Barnett Zerum South Central, Suite 4E 11 Peter Street Manchester M2 5QR	Byron Built Developments Ltd

Part 1 - Particulars of Application

Date of 25 July 2024
Application:

Proposal:	Erection of 27 affordable dwellinghouses with associated access, parking, landscaping and boundary treatments
Location:	Land At Sutherland Road (North Of Our Lady And St Paul's Rc Primary School) And Land At Junction Of Lennox Walk And Argyle Street, Heywood, ,

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 and documents:

- o Location Plan Drawing No 100
- o Site Clearance Plan Drawing No 102
- o Proposed Site Plan 01 Drawing No 105 Rev 10
- o Proposed Site Plan 02 Drawing No 106 Rev 3
- o Proposed Site Plan (Both Sites) Drawing No 107 Rev 6
- o Proposed Boundary Treatment Plan Site 01 Drawing No 108 Rev 4
- o Proposed Boundary Treatment Plan Site 02 Drawing No 109 Rev 1
- o Proposed 2B3P House T1 Proposed Floor Plans Drawing No 110 Rev 5
- o Proposed 2B3P House T1 Proposed Elevations Drawing No 111 Rev 2
- o Proposed 3B4P House T1 Proposed Floor Plans Drawing No 116 Rev 6
- o Proposed 3B4P House T1 Proposed Elevations Drawing No 117 Rev 2
- o Proposed 3B4P House T2 Proposed Floor Plans Drawing No 119 Rev 6
- o Proposed 3B4P House T2 Proposed Elevations Drawing No 120 Rev 2
- o Proposed 3B4P House T3 Proposed Floor Plans Drawing No 122 Rev 7
- o Proposed 3B4P House T3 Proposed Elevations Drawing No 123 Rev 4
- o Proposed 3B4P House T4 Proposed Floor Plans Drawing No 127 Rev 2
- o Proposed 3B4P House T4 Proposed Elevations Drawing No 128
- o Proposed 2B3P House T3 Proposed Floor Plans Drawing No 129 Rev 4
- o Proposed 2B3P House T3 Proposed Elevations Drawing No 130
- o Proposed Street Elevations 1/2 Drawing No 124 Rev 6
- o Proposed Street Elevations 2/2 Drawing No 125 Rev 6
- o Site Sections Drawing No 126 Rev 3
- o Site Plan 01 Indicating Adopted Areas Drawing No 140 Rev 2
- o Site Plan 02 Indicating Adopted Areas Drawing No 141 Rev 1
- o Landscape Proposals Drawing No 7300.01 Rev D
- o Raised Table Location Drawing No RHC-24-234-03 Rev A
- o Materials Tracker (Mottram Multi, RAL 9010 UPVC windows, RAL 9005 Doors and Modern Smooth Grey Tile)
- o Sustainable Strategy Plan Drawing No BDL-1763-01-DR-001 Rev P3 Dated 26th June 2024.
- o Sustainable Drainage Strategy Rev P4 Dated 22nd January 2025
- o Noise Impact Assessment
- o Transport Statement Referenced RHC-23-234-TS Revision A
- o Arboricultural Impact Assessment July 2024 (Site 1)
- o Arboricultural Impact Assessment November 2024 (Site 2)
- o Stage 1 Risk Assessment Referenced GUK-0224-05

and the development shall be carried out in accordance with these details 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 saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 No dwelling shall be occupied until a Management and Maintenance Plan for all public and communal areas has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this includes all public areas identified

on Drawing No 140 Rev 2. The approved Management and Maintenance Plan shall be adhered to for the lifetime of the development.

Reason: To ensure a ensure a satisfactory standard of visual amenity and repair for the lifetime of the development in accordance with CS policies DM1 and P3, PfE policy JP-P1 and the National Planning Policy Framework.

- 4 The drainage for the development hereby approved, shall be carried out in accordance with the principles set out in the submitted Foul & Surface Water Drainage Design Drawing BDL-1763-01-DR-001, Rev P3 - Dated 21/01/2025 which was prepared by Inspire Design & Development. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

- 5 No above ground works shall take place until samples of all external facing materials have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved and retained as approved thereafter. For the avoidance of doubt, these details should relate to windows, doors, roof slates and all elevation materials (including brick and brick detailing).

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and heritage and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

- 6 No above ground works shall take place until full details of the alignment, height and appearance of all boundary treatments (fences and walls) to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plans) have been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be occupied before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

- 7 No above ground works shall take place until details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans) have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and heritage and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

- 8 No above ground works shall take place until full details of the proposed retaining wall (including elevation appearance and specification details) to the rear of plots 11-15 (notwithstanding any such detail shown on previously submitted plans) have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved and shall be completed and thereafter retained in all respects before the first occupation of all plots 11, 12, 13, 14 and 15.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and heritage and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

- 9 Prior to commencement of the development an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences.

The report of the findings must 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 archeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

The development shall thereafter be completed in full accordance with the approved recommendations.

Reason: To ensure the safety of the development in accordance adopted Rochdale Core Strategy policy G9 and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

- 10 All proposed planting set out within Proposed Landscaping Plan Drawing No. 7300.01 Rev D shall be carried out in accordance with the approved details within the first planting and seeding seasons following the very first occupation of the development (or in accordance with a phased timing plan to be submitted to and agreed in writing by the Local Planning Authority). Any trees, plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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 Policy G7 of the adopted Rochdale Core, Policies JP-P1 and JP-G2 of the Places for Everyone Plan and the NPPF.

- 11 No part of the development hereby permitted shall be occupied until a scheme of biodiversity enhancements has been submitted to and approved in writing by the Local Planning Authority. Such measure shall include, 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') The duly approved scheme shall be implemented in full prior to final occupation of the phase of development to which the measures relate 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, Policy JP-G8 of

the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 12 No part of the development shall be occupied until revised road markings on Sutherland Road and the highway lining immediately adjacent to the proposed Site 1 access is refreshed in line with a scheme that has first been submitted to and approved by the Council as Local Planning Authority.

Reason: In the interests of highway safety and to ensure the functionality of the wider highway network in accordance with the Core Strategy policy T2 and the National Planning Policy Framework.

- 13 No part of the development shall be occupied until a scheme for highway improvement works (including the proposed junction works with Sutherland Road and the proposed site access for Site 1) has been implemented in accordance with details (including their layout, design and surfacing) which have first been submitted to and approved in writing by the Local Planning Authority. For the avoidance of any doubt, these details shall also include the introduction of no waiting at any time parking restrictions at the new junction with Site 1 and Sutherland Road and at the existing junction on Bury Old Road and Sutherland Road.

Reason: In the interests of highway safety and to ensure the functionality of the wider highway network in accordance with the Core Strategy Policy T2 and the National Planning Policy Framework.

- 14 Prior to the commencement of the development, a detailed construction management plan outlining working practices during construction shall be submitted for approval in writing by the Council, as Local Planning Authority, which for the avoidance of doubt should include:

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust Management Plan;
- o Compound locations where relevant;
- o Location, removal and recycling of waste;
- o Routing strategy, vehicular access point, vehicular activity associated with construction and swept path analysis; and,
- o Parking of construction vehicles and staff.

The development shall be carried out in accordance with the approved construction management plan throughout the construction period.

Reason: To safeguard the amenities of nearby residents and businesses, highway safety and air quality, pursuant to policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for Pre-commencement Condition: Construction/clearance works on-site have the potential to impact residential health and amenity, and the natural environment/habitats from the initial stages. Appropriate safeguards should therefore be put in place prior to works starting.

- 15 Prior to first occupation of the development hereby approved, a Habitat Management and Monitoring Plan (the HMMP), shall have been submitted to, and approved in writing by the Local Planning Authority. The HMMP shall be prepared in accordance with the approved Biodiversity Gain Plan and include:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

The development shall thereafter be undertaken in accordance with the approved plan.

Reason: To ensure that the requirements of The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 are fulfilled and in order to ensure the delivery of a net gain in biodiversity in accordance with the requirements of Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 16 No works to install any solar PV panels or Air Source Heat Pumps shall take place until full details and specifications of such features including large scale drawings at a scale of not less than 1:50 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out 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, Policies JP-S2 and JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 17 The development hereby approved shall be constructed in accordance with the noise mitigation measures set out within the submitted Noise Impact Assessment by Braiden Acoustics Ltd dated 4 July 2024 and referenced Report No: 11219. The noise mitigation measures shall be retained as installed thereafter in for the lifetime of the development.

Reason: To safeguard the amenities of residents in order to comply with the requirements of Policies G9 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.

- 18 The development hereby approved shall not be occupied until such time as the access, servicing and parking provisions as shown on the approved site plans have been installed in accordance with the approved plans and made available for use. The parking spaces shall be retained as such thereafter.

Reason: In the interest of highway and pedestrian safety and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy, Policy JP-C8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the dwellings hereby approved shall not be altered or extended, and no buildings or structure shall be erected within their curtilage under Schedule 2, Part 1, Classes B and D of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent undue harm to the amenity of existing and future occupiers and in the interest of visual amenity and in accordance with Policies P3 and DM1 adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority,

and;

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Rochdale Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

For the purposes of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990, a biodiversity gain plan is a plan which:

(a) relates to development for which planning permission is granted,

and;

(b) specifies the matters referred to below:

The biodiversity plan must include:

(a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;

(b) the pre-development biodiversity value of the onsite habitat;

(c) the post-development biodiversity value of the onsite habitat;

(d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;

(e) any biodiversity credits purchased for the development; and

(f) any such other matters as the Secretary of State may by regulations specify.

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 29 October 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: [Fees for Planning Applications in England](#)

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. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.

INFORMATIVE:

The applicant is reminded that, under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals. Planning consent does not provide a defence against prosecution under this act.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 it is an offence to intentionally or recklessly disturb a schedule 1 bird on or near a nest containing eggs or young, when it's building a nest or it's dependent young.