

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

23/01345/VRCON

CASE OFFICER

Tom Hiles

DETERMINATION DATE 12.03.2024 **EXT OF TIME** 16.07.2024

Address: Land South Of Langley Lane And West Of Silver Birch Stables, Birch, Middleton

Proposal: Section 73 application to vary conditions 2 (Approved Plans), 13 (Materials) and 23 (Retaining Walls Specification) of planning permission 18/00869/FUL (Residential development: erection of 23 dwellings and provision of access from Langley Lane, with associated hard and soft landscaping; retaining walls; pumping station; and, other associated works) to accommodate Ecclestone Homes house types and details

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	Y

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	Y

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	Approve with conditions
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CHECKED AND SIGNED OFF BY: LA

DATE: 16.07.24

SITE

The application site relates to land subject of an existing approval (ref 18/00869/FUL) for residential development of the site with 23 dwellings and access from Langley Lane, which is understood to be underway.

The site is to the south of Langley Lane and east of Heywood Old Road (A6045), between Middleton and Heywood. It is bound to the west by dwellings and their gardens along Heywood Old Road. Whittle Brook and vegetation is located to the south, and to the east are residential properties and their gardens.

The site is located east of the Birch Conservation Area which extends north along Heywood Old Road into Birch village.

The site lies outside of the Defined Urban Area and is designated as Protected Open Land and a Green Space Corridor as set out in the UDP Proposals Map.

Permission was subject to a range of conditions including pre-commencement conditions, which were resolved prior to development starting. Approval was also subject to a section 106 agreement for development contributions towards off-site affordable housing, local open space, outdoor sports and education.

Permission also was subject to a one-year commencement condition (due to the particular policy constraints in this location). The approval was subject to a s106 agreement for the payment of developer contributions towards affordable housing, primary and secondary education, public open space and outdoor sports, and signage.

A recent section 73 application ref 23/00897/VRCON sought to make changes to the approved scheme, comprising replacement of housetypes and changes to the layout of the scheme. The application was withdrawn prior to determination.

PROPOSAL

The application seeks to amend elements of the approved scheme by substituting approved plans with revised plans, by varying conditions 2 (approved plans) 13 (approval of external facing materials and windows and doors designs) and 23 (approval of design of crib block retainer at plots 8 to 15).

The amendments would comprise replacement of all housetypes across the scheme, together with alterations to the scheme layout and details of soft and hard landscaping and boundary treatments. Design details for retaining walls which were left to condition on the original decision have been submitted for approval.

Approval of the proposed changes would also require amendments to certain other original conditions (3, 5, 6, 9, 10, 11, 17, 18, 23 and 24) which related to these and other matters which have subsequently been resolved by discharge of condition and which related to the commencement of development, which has already occurred.

The proposed amendments were subject of discussion and revision during determination with input from the Council's urban design and heritage officers, to address concerns relating to the design quality of the revised scheme, including in terms of the setting of the development adjacent to the Conservation Area and the semi-rural location.

RELEVANT PLANNING POLICY

National

National Planning Policy Framework (NPPF) – December 2023

National Planning Practice Guidance (NPPG)

National Design Guide 2021

National Model Design Code

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the nine authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-S1	Sustainable Development
JP-S5	Flood Risk and the Water Environment
JP-H1	Scale, Distribution and Phasing of New Housing Development
JP-H2	Affordability of New Housing
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G7	Trees and Woodland
JP-G9	Biodiversity and Geodiversity
JP-P2	Heritage
JP-C7	Transport Requirements of Development

Local

Rochdale Core Strategy (CS):

SP2	The Spatial Strategy for the borough
SP3	The Spatial Strategy for the townships
SD1	Delivering sustainable development
DM1	General development requirements
DM2	Delivering planning contributions and infrastructure
SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
C4	Providing affordable homes
C6	Improving health and well being
C8	Improving community, sport, leisure and cultural facilities
SO3	Improving design, image and quality of place
P1	Improving image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
SO4	Promoting a greener environment
G1	Tackling and adapting to climate change
G2	Energy and new development
G3	Renewable and low carbon energy developments
G5	Managing protected open land

G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport

T1	Delivering sustainable transport
T2	Improving accessibility
Appendix 5	Schedule of Parking Standards

Saved Policies of the Rochdale Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
D/10	Protected Open Land
G/8	Greenspace Corridors
BE/17	New Development Affecting Conservation Areas
EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):

- Affordable Housing (March 2008)
- Guidelines & Standards for Residential Development (June 2016)

RELEVANT SITE HISTORY

18/00869/FUL - Residential development: erection of 23 dwellings and provision of access from Langley Lane, with associated hard and soft landscaping; retaining walls; pumping station; and, other associated works. Approved with conditions, 30.09.2022

- 23/00640/DOC - Submission of details to comply with conditions 5 (5M buffer), 17 (Archaeology Report - Written Scheme of Investigation), 18 (CEMP) and 24 (Phase II Geo-environmental Assessment) of planning permission 18/00869/FUL. Approved.
- 23/00641/DOC - Submission of details to comply with conditions 6 (Badger Survey), 9 (Invasive Species Management Plan) and 11 (LEMP) of planning permission 18/00869/FUL. Approved.
- 23/00686/DOC - Submission of details to comply with condition 3 (surface water drainage scheme) 18/00869/FUL. Approved

CONSULTATION RESPONSES

RBC Conservation Officer

Remaining concerns in terms of development in the setting of the Conservation Area relate to proposed windows designs and hard landscaping and boundary treatment details. The development would result in less than substantial harm to the significance of Birch Conservation Area, which is a designated heritage asset. The changes to the scheme would mean that it would be more harmful than the approved. In accordance with NPPF paragraph 208, this harm should be weighed against any public benefits identified.

RBC Urban Design Officer

Remaining concerns relate to proposed windows designs and queries regarding minor design details.

GMP - Design For Security

No comments received to date

RBC Highways

No objection

Greater Manchester Ecology Unit

No objection

Environmental Health - Noise/Odours

No comments received to date

Drainage Officer

No comment – the proposed drainage network was previously accepted and hasn't changed

Affordable Housing

Previous comments are unchanged.

REPRESENTATIONS

Notification letters were issued to neighbouring addresses and site notices were placed opposite the site and at the junction of Heywood Old Road and Langley Lane, and a press advertisement was published.

Further changes made to the proposal during determination were not considered to result in any greater impacts to adjoining properties and as such repeat notification was not undertaken.

Three objections were received, which made the following points:

- No houses should be built on a blind bend. Too much traffic already, will make the situation worse
- Too many houses are being built using the little bit of green land we had.
- Developer has ripped out trees and disturbed and removed knotweed
- Civil matters relating to land ownership raised by developer with objector

These matters are addressed below.

ANALYSIS

Principle of Development

The principle of the residential development of the site has been established by the granting of the earlier permission, though it is noted that this approval was subject to consideration against exception policies relating to the particular circumstances of the site. Local policy G5 notes that residential development in Protected Open Land (as designated by UDP saved policy D/10) will only be acceptable, and thus that such land will be released for development, where certain criteria are met, which are as follows:

- a. *there is evidence that the development is needed and that 'urban' brownfield and greenfield sites are not available to meet those needs;*
- b. *the location of the site is sustainable and is in accordance with the overall Spatial Strategy;*
- c. *the development does not undermine the delivery of other currently allocated sites or key regeneration priorities and can help to deliver wider regeneration;*
- d. *development could be accommodated without an unacceptable impact on the area's landscape, biodiversity or wider green infrastructure value;*
- e. *there is evidence that the land is physically suitable for the scale and type of development proposed; and*
- f. *the development and supporting infrastructure is capable of being delivered.*

Where the release of protected open land can be justified, the Council will seek to identify it as an allocation in a future DPD. Any proposals that come forward would need to:

- g. *involve a comprehensive scheme for the delivery of the development, transport and other necessary infrastructure to serve the development;*
- h. *identify measures to address environmental impacts and where possible provide local benefits.*

The earlier proposal was assessed against these criteria and was considered to satisfy all of them. It is not considered that the proposed amendments give rise to any significant considerations in terms of this earlier assessment. In particular, it is noted that:

- The amended scheme would continue to provide larger and therefore higher value homes, satisfying criterion a) in the same way as the original scheme was considered to.
- Means of minimising the ecological impact of the scheme and achieving biodiversity enhancements, previously identified, could still be delivered as part of the revised scheme, satisfying the biodiversity and GI elements of criteria d) and h). The other local benefits identified as being delivered by the original scheme would still be delivered by the revised scheme.
- In terms of criteria f), the original permission was subject to 12-month commencement deadline with the expectation that the approved scheme could be delivered within two years of permission being granted. Implementation of the approved scheme has commenced, and as such the original commencement timescale conditioned on the original permission has been satisfied and would in effect be satisfied if the proposed amended scheme was built out instead. As such, the requirement that the development is capable of being delivered would still be met.

For the above reasons, it is considered that the proposed amended scheme would remain compliant with policies G/D/1, G/8 and D/10 of the UDP and Core Strategy policy G5.

Since the determination of the original approval, Places for Everyone policies JP-H1, JP-H2, JP-H3 and JP-H4 in relation to the scale, location, affordability and design, types and density of new housing have been adopted.

JP-H1 notes that a minimum of 175,185 net additional dwellings will be delivered over the plan period, including 10,472 in Rochdale. The revised scheme would make a contribution to this objective for housing delivery.

JP-H2 sets out approach to addressing housing affordability across the nine boroughs, including through the provision of affordable housing as part of new developments. The original approval secured a contribution to off-site provision of affordable housing, and delivery of the revised scheme would remain subject to this requirement.

JP-H3 notes that residential development should provide an appropriate mix of dwelling types and sizes. The revised scheme would provide a mix of detached houses, semi-detached houses, terraces and detached bungalows, supporting this objective.

JP-H4 notes that new housing development should be delivered at a density appropriate to the location, and that regard should be had to minimum densities depending on the location and context of the site. In this location (not in the vicinity of local centres and rail and Metrolink stations) the policy would expect a minimum density of 35 dwellings per hectare, the development would achieve a lower density of approximately 18 dwellings per hectare, but in this instance this is considered to be appropriate in this semi-rural location, particularly given that the scheme is intended to deliver higher-value homes.

The amended proposal is considered to be acceptable in terms of the objectives of newly-adopted housing policies contained within Places for Everyone.

Public comments on the principle of housing development are noted, but for the reasons set out above it is considered that the revised scheme would remain acceptable in principle, subject to all relevant technical planning considerations.

Heritage Conservation

Policy P2 *Protecting and enhancing character, landscape and heritage* notes the ways that the Council will protect the borough's heritage assets in planning decisions.

The revised scheme originally submitted was considered to be harmful to the setting of the Conservation Area. The final scheme has reinstated elements of the house type design and layout at the front of the site onto Langley Lane (reinstated a rural character area), which has substantially addressed the concerns in this regard. Whilst the heritage officer's comments regarding windows design are noted, overall it is considered that this final revised scheme is acceptable in terms of policy P2 for the protection of heritage assets.

The heritage officer has confirmed their initial advice that the final scheme would result in a less than substantial level of harm to the setting of the Birch Conservation Area, and that this harm would be greater than the less than substantial harm arising from the scheme originally approved.

As was the case with the originally approved development, the revised proposal would provide higher value market housing to meet an identified need, affordable housing contribution towards off-site provision and the contribution towards housing supply, and it is considered that these would comprise public benefits which would still outweigh the less than substantial level of harm to the setting of the Conservation Area. Approval of the revised scheme would therefore comply with the requirements of NPPF paragraph 208.

Design

Core Strategy policies P1 *Improving image* and P3 *Improving design of new development* set out the Council's expectations for achieving high-quality design (including landscaping) in new developments.

The revised scheme as originally submitted was considered to be a significant reduction in general design quality compared to the originally approved development. This resulted from changes to the housetypes proposed at each plot to what were considered to be somewhat standard designs, a dilution of the three distinct character areas which had been developed in the original proposal, and changes to landscaping and boundary details.

Following discussions between the developer's application team and the Council's officers, a number of amendments have been secured to address these issues. These include improvements of the individual housetypes to achieve more higher quality designs, as well as more clearly distinguished character areas across the site (from north to south), to include the reinstatement of the layout of the area at the north-west of the site as originally approved as a farmstead courtyard arrangement. The most significant change to the approved scheme is that houses at the south area of the site would achieve an Arts and Crafts-style architectural character, in contrast to the contemporary approach which was originally approved. The revised appearance of this area of the site is considered to be appropriate to the context, and of a high quality.

The approved scheme was subject to a condition requiring approval of design details for retaining walls required around the units to the south of the site. An updated levels plan has indicated that the arrangements of retaining structures would be largely similar to that approved in the original scheme, and design details have been submitted of the retaining structures. These submitted details of a block wall differ from the indicative details submitted in the original scheme (which indicated a planted retaining structure) but are considered to be acceptable.

For the above reasons the proposed revised scheme is considered to be acceptable in design terms and to comply with CS policies P1 and P3.

Residential Amenity

Core Strategy policy DM1 *General development requirements* sets out the expectations for the protection of residential amenity, and more detailed guidance is provided by the Residential Development SPD.

The site is bounded to the west, north-west, east and north-east by existing residences, the closest of which are located at 531-533 Langley Lane to the north-west, at 'The Barn' to the east, and at 608-626 Heywood Old Road to the west.

The proposed amendments would result in changes to the distances and orientation of some of the proposed units relative to these existing residences, and changes to the scale of the proposals as well as finished floor levels at each plot. In terms of potential effects on the nearest dwellings, these changes would be as follows:

- Finished floor level at plot 1 (in the vicinity of existing dwellings on Langley Lane at the north-west) increased by 0.25m.
- FFL at plot 4 would be increased by 0.4m and the proposed unit would be positioned slightly closer to the same houses on Langley Lane, but would be

combined with a reduction in the height of the proposed bungalow of around 1.5m.

- FFL at plot 5 would be increased by 0.45m and the side elevation of the proposed bungalow would be repositioned approx. 3m closer to dwellings to the west, but with a remaining separation distance of approx. 28m and a reduction in ridge height, this would have no greater impact.
- FFL at plot 11 would increase by 0.45m and the side elevation would be placed around 2m closer to houses to the west. The ridge height of the proposed unit closest to these dwellings would be reduced to a side garage, resulting in no greater impact on the nearest dwellings.
- The houses at plots 20 and 21 would be positioned around 5m closer to a dwelling to the east, but would retain a separation distance of around 23.5m. The finished floor level would increase by 0.1m.
- Units at plot 22-23 would be placed around 2m closer to a house to the east, maintaining a separation distance of around 26m.

It is not considered that these changes would result in any harmful greater impacts than the approved development.

The positions, finished floor levels and designs of other units and elements of the development would also change but owing to their locations and distances relative to nearby residences these changes would not result in any considerations in terms of amenity impacts.

As with the approved development, the revised scheme would provide homes with satisfactory outdoor amenity space at each unit. The replacement housetypes would likewise still be satisfactory in terms of the minimum internal floorspace set out in the Nationally Described Space Standards.

Matters relating to the noise environment for future occupants would remain controlled by a condition imposed on the original permission, to be re-imposed.

For the above reasons, it is considered that the proposed amended scheme would remain acceptable in terms of impacts upon the amenity of existing dwellings around the application site and in terms of the standard of accommodation provided for future occupants.

Access, Highways and Parking

Core Strategy policy DM1 sets out the Council's expectations in relation to vehicular access, adequate parking, manoeuvring, and servicing arrangements.

The approved scheme was considered to be acceptable in terms of access and highways safety impacts, including in terms of access arrangements onto Langley Lane, subject to achieving visibility splays from the site, and subject to adoption of the internal roads. It is understood that a s38 adoption agreement has since been made with RBC Highways and an updated land use plan has been submitted reflecting the agreed extent of adoption. The Highways Officer has reviewed the amended proposal and has not raised any concerns in terms of these matters.

Public comments on highways matters are noted, but for the above reasons the proposed amendments are considered to be acceptable in terms of the above highways safety requirements of policy DM1.

Ecology

Core Strategy policy G7 sets out the Council's approach for protecting and enhancing biodiversity. The application was submitted prior to the adoption of obligatory national requirements for achieving biodiversity net gain for major developments. GMEU have been consulted on the revised proposal and raised no objections. In accordance with their advice, it is considered that the proposed amendment would not give rise to any additional considerations in terms of impacts on wildlife, ecology and biodiversity and would therefore accord with policy G7.

Affordable Housing

Core Strategy Policy DM2 and C4 set out the Council's requirements for the provision of affordable housing as part of residential developments. The original approval was subject to an s106 agreement to secure contributions to provide off-site affordable housing, in line with these policy requirements, and this agreement would remain in effect for the revised proposal. Subject to the payment of these contributions, the revised scheme remains acceptable in terms of affordable housing provision and in terms of policy C4.

Flood Risk and Drainage

Policy G8 sets out the Council's approach to managing water resources and flood risk in new development. The original application was subject of a flood risk assessment and drainage details have previously been approved. The drainage officer has reviewed the current application and notes that drainage arrangements have not changed and has raised no objection. Accordingly the revised scheme is considered to be acceptable in terms of surface water management and flood risk.

Other matters

Public comments on ongoing works on-site are noted. In response it is noted that:

- Tree removals were approved as part of the original development.
- The original approval is subject to an invasive weed management plan (approved by condition) which will be re-imposed on the amended approval.
- Issues raised relating to land ownership appear to be civil matters to be resolved between the applicant and other relevant parties and do not relate to the amendments proposed under the current application.

CONCLUSIONS AND RECOMMENDATIONS

As established with the original permission, the proposed amended scheme would remain an acceptable form of development on land designated as Protected Open Land and would therefore be appropriate in principle.

The revised scheme would be acceptable in terms of design, effects on residential amenity, highways safety, flood risk and drainage, and ecology. As with the approved scheme, the revised proposal would result in less than substantial harm to the setting of the Birch Conservation Area, and whilst the level of harm would be somewhat more than that resulting from the approved scheme, it is still considered that the harm would

be outweighed by the public benefits arising from the scheme. It is not considered that the revised proposal would give rise to any other planning considerations.

The proposal is therefore considered to be acceptable in terms of the relevant policies of the development plan, and therefore to comprise sustainable development. Accordingly, the application is recommended for approval, subject to the following conditions.

CONDITIONS

1. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance, the results of which have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policies G7 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

2. This permission relates to the following plans and drawings:

General details

SL01 - Location Plan
038 102 Rev G - Planning Layout
18070/154/1 Rev A - External Works
2086-F01 Rev A - Proposed Site Access Arrangement
038 ECC-01 - Land Use Plan
18070/153/1 - Rev A Typical Road Construction Details
18070/157/1 Rev B - S38 Agreement Plan
038 103 Rev F – Materials and Enclosure Plan
P.1885.23.01 Rev C – Planting Plan
SD-F01-1 - 1750mm High Brick Wall
AB-30 - WIND FENCE 1

Housetypes (as ordered in Housetype Pack Rev C)

K-P-01 - Plot 20 & 21 Type K Semi Detached
K-P-01 - Plot 22 & 23 Type K Semi Detached
L-P-01 - Plot 1 Type L Detached (elevations)
L-P-01 - Type L Detached (floor plans)
M&N-P-01 - Type M & N (elevations)
M&N-P-01 - Type M & N (floor plans)
STD-PDG-005 - Premium Single Garage Floor Plan and Elevations Plot 1
STD-PSG-002 - Premium Single Garage Front and Side Elevation Plot 2
C-P-01 - Rev A Plot 4 Type C
C C-P-01 - Rev A Plot 5 Type C
P-P-01 - Plot 6 Type P
P-P-01 - Plot 19 Type P
P-P-01 - Plot 17 Type P
Q-P-01 - Plot 7 & 16 Type Q
R-P-01 - Plot 18 Type R
STD-PSG-002 - Premium Single Garage Front and Side Elevation Plot 4
STG-PSG-002 - Premium Single Garage Front and Side Elevation Plot 5
STD-PSG-002 - Premium Single Garage Front and Side Elevation Plot 7 & 16

B-P-01 - Rev A Plot 9 Type B
 D-P-01 - Plot 8 & 15 Type D
 E-P-01 - Plot 14 Type E
 E-P-01 - Rev A Plot 10 Type E
 F-P-01 - Plot 13 Type F (elevations)
 F-P-01-1 - Type F (floor plans)
 F-P-01 Rev A - Plot 11 & 12 Type F (elevations)
 F-P-01-1 - Type F (floor plans)
 STD-PSG-002 - Premium Single Garage Front and Side Elevation Plot 8 & 15

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 Places for Everyone joint development plan, Rochdale Core Strategy, saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. The development shall be undertaken in accordance with the following approved details of facing materials and design details:

Roofs: Ravensdale Natural Slate (Plots 1 -3, 20 -23), Sandtoft Dual Thin Leading Edge interlocking Roof Tile (Colour: Dark Grey) (Plots 4 -6, 10 -11, 12 – 13, 17 - 19), Sandtoft Dual Thin Leading Edge interlocking Roof Tile Colour: Rustic Red (Plots 7 – 9, 14 – 16).

Facing bricks: Old Lymm Blend (plots 1 -4, 20 -23), Hartford Red Multi (plots 6 – 9, 14 – 18), Monarch Handmade (plots 5, 10 – 13, 19).

Windows: Farmstead and Transition units (Plots 1-7 and 16-23): Resurgence white UPVC flush sash with triple glazed units and Georgian bar windows. Art & Crafts units (plots 8-15): White UPVC casements with triple glazed, leaded windows.

Rooflights - Velux manual centre pivot roof lights: GGU & GGL

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Places for Everyone policies JP-S1 and JP-H3, policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4. All retaining walls indicated on the approved plans shall be implemented in accordance with the following approved details:

- Retaining walls extents and heights as indicated on External Works Drawing ref. 18070/154/1 Rev A.
- AB-30 Wind Fence 1
- Colinwell Allan Block, colour Abbey, as indicated in Collinwell Retaining Wall System brochure received by the Local Planning Authority on 27.06.2024

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Places for Everyone policies JP-S1 and JP-H3, policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. The development shall be undertaken in accordance with the details of a scheme for the provision and management of a minimum 5m wide buffer zone for the Whittle Brook as approved under discharge of condition application ref 23/00640/DOC, as indicated on the following approved drawings:

Drawing titled Soft Landscaping Plan dated 08.06.22
Drawing 18070/100/2A Longitudinal Sections 1 of 2.
Drawing 18070/100/2 Longitudinal Sections 2 of 2.

The approved details shall be implemented in full prior to the first occupation of any dwelling hereby approved.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure maintenance of the outfall 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.

6. The development shall be undertaken in accordance with the scheme for the discharge of surface water approved under discharge of condition application ref 23/00686/DOC. For the avoidance of doubt, the approved details were indicated on the following approved plans:

18070/100/1 Rev A - Road and Main Drainage Layout 1
18070/100/5 - Road and Main Drainage Layout 2
18070/100/2 Rev A Longitudinal Sections 1 of 2
18070/100/2 Longitudinal Sections 2 of 2
18070/102/1 Surface Water Areas Plan

The approved scheme shall be implemented prior to first occupation of any of the dwellings hereby permitted and 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 JP-S5 of the Places for Everyone joint development plan, 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.

7. The development shall be undertaken in full accordance with the recommendations of the Updated Badger Survey prepared by Erap and dated June 2023, as submitted under discharge of condition application ref 23/00641/DOC.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy JP-G9 of the Places for Everyone joint development plan, Policies G7 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8. The development shall be undertaken in strict accordance with the details and timescale of the approved Invasive Weed Management Plan Revision B dated 02.06.2023 submitted under discharge of condition application ref 23/00641/DOC.

Reason: To ensure the satisfactory treatment and disposal of invasive plant species which, under the terms of the Wildlife & Countryside Act 1981 (as amended) it is an offence to be caused to be spread, and in accordance with the

provisions of Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

9. The development shall be undertaken in accordance with the proposals for protecting retained trees as described in the Arboricultural Impact Assessment (ref: AWA4069) approved under the original permission ref 18/00869/FUL.

No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.

Any topping or lopping approved shall be carried out in accordance with British Standard BS 3998 (Tree Work). If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

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, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

10. The development shall be carried out strictly in accordance with the landscape and environmental management plan titled Landscape Management Plan by ERAP and dated June 2023, as submitted under discharge of condition application ref 23/00641/DOC. The development and future management of the site shall be undertaken in accordance with the measures and recommendations set out in the management plan, including undertaking a detailed review as set out in section 4.0 of the report.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policies G7 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11. The dwellings hereby approved must be constructed as per the requirements of the submitted Noise Impact Assessment (ref: 50-457-R1-3) and whole dwelling ventilation systems and barriers must be installed as required prior to occupation. Upon completion and prior to occupation, validation testing must be carried out at a range of units across the site, to include a minimum of two of the units requiring the enhanced mitigation measures. Details of the validation testing must be submitted to and approved in writing by the local planning authority prior to the occupation of any dwellings on site.

Reason: To ensure a satisfactory standard of development in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

12. The construction phase of development shall be undertaken in strict accordance with the Construction Environmental Management Plan (revised version 3 received 04.07.2023) submitted under discharge of condition application ref 23/00640/DOC. The development shall not be carried out otherwise than in accordance with the approved CEMP.

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 construction phase in

accordance with Policies DM1, P3, T2, G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

13. No development above slab level shall take place until full details of the proposed physical security measures listed in Section 4 of approved Crime Impact Statement (ref: 2021/0076/CIS/02 rev A) have been submitted to and approved in writing by Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of the development.

Reason: In order to ensure that the development is safe to use and access and to reduce the risk of crime, in accordance with Core Strategy Policy C3 and the National Planning Policy Framework.

14. No development above slab level shall take place until full details of the pumping station have been submitted to and approved in writing by the local planning authority. The pumping station shall be constructed in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Places for Everyone policies JP-S1 and JP-H3, policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

15. No above ground works shall take place unless and until a scheme for the installation of electric vehicle charging points with a minimum power rating output of 7Kw, universal sockets and at least mode 3 or equivalent, at a rate of one charge point per five car parking spaces, to include timescales for implementation, is submitted to and approved in writing by the Local Planning Authority. The approved car charge point scheme shall be implemented in accordance with the approved details and timescales for implementation.

Reason: In the interests of air quality management in accordance with Core Strategy Policy T2 and the National Planning Policy Framework.

16. No dwelling shall be occupied until a sustainable drainage management and maintenance plan for the lifetime of the development is submitted to and approved in writing by the local planning authority. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development, in accordance with Policy JP-S5 of the Places for Everyone joint development plan, 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.

17. No external lighting shall be installed on the site unless a scheme for such lighting has been submitted to and approved in writing by the Local Planning Authority. Such details shall:
- set out the position and height of means of lighting on the building or site and its lux plot and luminance, angle of installation and any hoods to be fixed to the lights
 - provide lighting contour plans to demonstrate clearly any impacts on the Whittle Brook Corridor;
 - specify frequency and duration of use.
- The approved scheme shall be implemented prior to occupation of the dwellings and in accordance with the approved details and retained as such thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy JP-G9 of the Places for Everyone joint development plan and Policies G7 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class(es) A - B of Part 1, Schedule 2 of the Order shall be carried out on the dwellinghouses at Plots 1, 4, 5 & 11 hereby permitted.

Reason: To ensure continued control over the extent of further building on the site on the plots adjacent to Heywood Old Road having regard to the circumstances of the application and in the interests of the character and setting of Birch Village Conservation Area.

19. The development hereby approved shall not be occupied until the archaeological site investigation has been completed in accordance with the programme set out in the Written Scheme of Investigation (approved under discharge of condition application ref 23/00640/DOC) and provision made for the completion of all elements of that programme.

Reason: To protect the significance of any archaeological remains on the site in accordance with Policy P2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

20. The approved development shall not be occupied until the site access has been constructed (including visibility splays onto Langley Lane) in accordance with the approved drawings. No structure, object plant or tree exceeding 1m in height shall at any time be erected or allowed to grow within the visibility splay identified on drawing ref: 2086-F01 rev A.

Reason: In order to provide safe, secure access to the development in the interests of public safety, and ensure continued function of the surrounding highway network, in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

21. No part of the development shall be occupied until a detailed specification for the design and construction of the associated parking areas, including detail of the surface water drainage strategy and surfacing materials, has been submitted to and approved in writing by the Local Planning Authority. The parking areas shown on the approved plans shall be constructed in accordance with the approved

details before the associated development is first occupied, and shall be retained thereafter for their intended purpose.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway in the interests of highway safety and the free flow of traffic and to ensure the suitable disposal of surface water in order to comply with policies T2, DM1 and G8 of the adopted Rochdale Core Strategy, saved policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

22. 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.

23. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure the safe development of the site in the interests of the amenity of existing residents and future site occupiers, and of the environment, in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework