

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01406/VRCON	James Hughes	11 October 2023

Address: Land At Nixon Street, Rochdale, OL11 3JW

Proposal: Section 73 application to vary Conditions 2 (Approved Plans), 13 (Vehicular Access), 18 (EV Charging) and 19 (External Materials) of planning permission 20/01429/FUL. Amendments include: reconfiguration of two unit runs (plots 26-31 and 64-75) consisting of removal of detached garages to plots and replacement with hardstanding, addition of a sub-station.

PUBLICITY Y	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?	N

EIA	Screening opinion completed and saved to Onbase?	N/A
------------	--	-----

CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	GRANT SUBJECT TO CONDITIONS
-----------------------	------------------------------------

CHECKED AND SIGNED OFF BY: RG

DATE: 15 March 2024

SECTION 73

This application seeks permission to develop land without compliance with condition(s) as attached to previously approved application 20/01429/FUL. This is known as a 'Section 73 Application, an application for removal or variation of a condition(s) following grant of planning permission. Application 20/01429/FUL was granted planning permission on 31 March 2022, with the description being 'Proposed erection of 102 no. dwellings with associated roads, footpaths, parking and gardens'.

Permission granted under Section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains extant.

The original planning permission 20/01429/FUL is accompanied by a Section 106 legal agreement which remains binding on any Section 73 application as set out within provision 9 of the agreement.

DISCHARGE OF CONDITIONS

Since the granting of planning permission 20/01429/FUL and prior to the determination of this Section 73 Application, Discharge of Condition applications have been received and processed by the Local Planning Authority. As such, a number of conditions will not be carried over in the same format or wording as set out on the decision notice 20/01406/FUL.

The relevant discharge of conditions applications are:

22/00978/DOC – Submission of details to comply with Condition 5 (Construction Environment Management Plan) of planning permission 20/01429/FUL.

- Condition 5: a Construction Environment Management Plan [CEMP] has been submitted and reviewed by the Council's consultees with regards to ecology, environment protection and flood risk. The approved CEMP shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CEMP without the prior written permission of the Local Planning Authority.

22/00187/DOC - Submission of details to comply with Conditions 3 (Badger Survey) and 6 (Invasive Species) of planning permission 20/01429/FUL

- Condition 3: a badger survey (ref: 2020-240e Jan 2022) to encompass the whole site plus a 30m buffer has been undertaken and the survey report has been submitted. The development shall be carried out in full accordance with the approved details, and confirmation that the final updated survey has been completed and a copy of any associated Natural England license shall be submitted to the Local Planning Authority.
- Condition 6: A method statement for removal/control of any invasive plant species, including Japanese Knotweed, within the site has been submitted (ref: V1.0 dated 09.11.2021). In order to fully comply with the requirements of this condition, details of the monitoring and retreatment for a five year period post-treatment must be submitted and approved in writing by the Local Planning Authority prior to any above ground works. The development shall thereafter be carried out in strict accordance with the details and timescale contained within the duly approved method statement.

22/01008/DOC – Submission of details to comply with Conditions 11 (Landscaping Scheme), 12 (Finished Floor Levels), 18 (EV Charging), 19 (Materials Specifications) on planning permission 20/01429/FUL

- Condition 11: Proposed Landscaping Plans (LS-001 rev C and LS-002 rev A) have been submitted. The plans were reviewed by the Greater Manchester Ecology Unit on behalf of the Council. The development shall be carried out in accordance with the approved scheme. The areas which are soft landscaped shall be retained as landscaped areas thereafter. Should any trees, shrubs or grassed areas be removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced by vegetation of similar size and species to those originally required to be planted.
- Condition 12: details of finished floor levels and external ground levels for each plot, as well as site levels relative to agreed off-site datum point(s) have been submitted (refs: 20066-EDGE-XX-XX-DR-C-1001 rev P03; 20066-EDGE-XX-XX-DR-C-1002 rev P03; 20066-EDGE-XX-XX-DR-C-1003 rev P03; and, 20066-EDGE-XX-XX-DR-C-1004 rev P03). The development shall hereafter be undertaken in accordance with the approved details.
- Condition 18: A scheme for the position of installation of electric vehicle charging points has been submitted (ref: EV-01). However, no information has been provided in response to the following requirement: "with a minimum power rating of 7Kw, universal sockets and at least mode 3 or equivalent." Therefore, the condition cannot be discharged.
- Condition 19: with the exception of part elevation details for one housetype (ref: CO-END-001 rev E), a full specification of materials to be used externally on the buildings has not been submitted. Therefore, this condition cannot be discharged.

22/01377/DOC – Submission of details to comply with Conditions 9 (Biodiversity Enhancement), Condition 15 (Off Site Highway Works) and Condition 16 (20mph Zone) on planning permission 20/01429/FUL

- Condition 9: A scheme of biodiversity enhancements (Erap Ltd, Figure 1, v1 dated 13.9.2021) for the site in accordance with the mitigation measures set out in the Ecological Survey and Assessment (Erap Ltd, October 2020, Version 1) has been submitted to the Local Planning Authority. No dwelling shall be occupied until such time as the approved biodiversity enhancement measures within that plot have been installed in accordance with the approved detail.
- Condition 15: A scheme for the off-site highway works including the provision of traffic calming measures along Nixon Street and timescales for implementation, has been submitted to the Local Planning Authority. The Highways department has confirmed that the details are acceptable. The development shall be carried out in accordance with the approved scheme and timescales for implementation.
- Condition 16: A scheme for the self-enforcing 20 mile per hour zone into and throughout the development hereby approved has been submitted to the Local Planning Authority. The Highways department has confirmed that the details are acceptable. The development shall be carried out in accordance with the approved scheme.

23/00479/DOC – Submission of details to comply with Condition 4 (Written Scheme of Investigation) on planning permission 20/01429/FUL

- Condition 4: The submitted 'Archaeological Strip, Map and Record and Watching Brief Report' by Oxford Archaeology dated March 2023 is accepted. On the advice of Greater Manchester Archaeological Advisory Service, the requirements of condition 4 have been satisfied and the condition is therefore discharged.

23/01388/DOC – Submission of details to comply with Condition 14 (Travel Plan) on planning permission 20/01429/FUL

- Condition 14: The submitted 'Residential Travel Plan' by Eddisons dated December 2023 is accepted. On the advice of Highways & Engineering, the requirements of Condition 14 have been satisfied and the condition is therefore discharged.

23/01397/FUL – Submission of details to comply with Conditions 6 (Invasive Species), 17 (Parking Areas) and 21 (Sustainable Drainage) on planning permission 20/01429/FUL

- Condition 6: The submitted 'Japanese Knotweed Management Plan' prepared by Complete Weed Control and dated 14 October 2022 is accepted. On the advice of Greater Manchester Ecology Unit, the requirements of Condition 6 have been satisfied and the condition is therefore discharged.
- Condition 17: The submitted 'Construction Details' sheets prepared by Edge Consulting Engineers in relation to parking areas are accepted. On the advice of Highways & Engineering, the requirements of Condition 17 have been satisfied and the condition is therefore discharged.
- Condition 21 – The submitted 'Drainage Layout' sheet prepared by EDGE Consulting Engineers, 'Drainage Maintenance Plan' prepared by EDGE Consulting Engineers dated 29 January 2024, and 'Overflow Pond Details' prepared by EDGE Consulting Engineers are accepted. On the advice of the Lead Local Flood Authority/Drainage, the requirements of Condition 21 have been satisfied and the condition is therefore discharged.

SITE

The site for the proposed housing (red line boundary) extends to 3.21ha, with the school land (blue line boundary) extending to 2.53ha. Together, these parcels of land form the wider site, positioned to the south west of Nixon Street, Castleton, effectively wrapping around the north and west of the existing dwellings on Moor Park Avenue.

The site is within the Defined Urban Area and is positioned on the edge of the urban area which lies to the north, east and south, with open land to the west which lies within the Green Belt. The immediately adjacent urban area is defined by contiguous residential areas extending generally north towards the A58 and south towards the M62, with a predominantly industrial area a short distance to the east. The adjacent open land is predominantly agricultural, with golf courses further to the north west and south west.

Access to the site was previously taken from Nixon Street which now terminates a short distance into the site. Nixon Street connects to Manchester Road to the east,

which in turns provides connections to Rochdale to the north and both the A627(M) and Middleton to the south. Castleton railway station is approximately 500m to the south east of the site.

PROPOSAL

Planning permission 20/01429/FUL was granted in March 2022 for the development of the site consisting of the erection of 102 dwellings with associated roads, footpaths, parking and gardens.

This application has been submitted to vary conditions 2 (Approved Plans), 13 (Vehicular Access), 18 (EV Charging) and 19 (External Materials) in order to make additions and/or alterations to the scheme as proposed. In order to vary the conditions, the applicant has submitted the following plans and documents:

- ☐ Proposed Site Layout (Drawing 0001 Revision N dated 18 December 2019)
- ☐ Waste Management Plan (Drawing WP01 Revision C dated October 2020)
- ☐ Materials Plan (Drawing MP01 Revision D dated October 2020)
- ☐ Land Disposal Plan (Drawing LDP01 Revision C dated October 2020)
- ☐ Hard Landscaping Plan (Drawing HL01 Revision C dated October 2020)
- ☐ EV Charging Point Locations (Drawing EV-01 Revision A dated 15 February 2022)
- ☐ Drainage Layout (Drawing C2001 Revision P05 dated 21 February 2022)
- ☐ Boundary Treatment Plan (Drawing BT01 Revision E dated October 2020)
- ☐ Landscaping Plan Sheet 1 (Drawing LS-001 Revision D dated 17 November 2020)
- ☐ Landscaping Plan Sheet 2 (Drawing LS-002 Revision B dated 17 November 2020)
- ☐ Proposed Substation Plans and Elevations (Drawing 900350-028 Revision 1 dated November 2018).
- ☐ Proposed External Works Plan (Drawing 1002 Revision P03 dated 22 December 2020)
- ☐ Section 104 Details (Drawing 2003 Revision C02 dated 21 October 2022)
- ☐ Section 278 Traffic Calming Details (Drawing 3011 Revision P02 dated 21 October 2022)
- ☐ Section 38 Street Lighting Design (Drawing 'Lighting Layout' Revision 5 dated 07 March 2022)
- ☐ Electric Vehicle Wall Charger Details prepared by Project EV (Reference EVA-07S-SE/EVA-07S-SE-C Datasheet)
- ☐ Electric Vehicle Single Phase AC Charging Equipment User Manual prepared by Project EV
- ☐ Brickwork Specification Sheet ('Staffordshire Blue Brick Specification Standard BS EN 711-1: 2011)
- ☐ Porch Canopy Specification Sheet prepared by Architectural Fibreglass Mouldings Ltd (Drawing 120 dated 04 January 2023)
- ☐ Rainwater Goods, Soffits, Fascia details prepared by Homeline Building Products Ltd ((Reference 09/4639)
- ☐ Bay Window detailed prepared by Architectural Fibreglass Mouldings Ltd (Drawing 120 dated 05 January 2023)
- ☐ Roof Tile Specification Sheet prepared by Northstone

Additional Plans Received 15 March 2024

Further amended plans were received to take into account alterations to Plots 5, 14, 89 and 98. The alteration consist of the enlargement of the rear garden areas of those plots, necessitating removal of landscaped areas adjacent to the plots and a

shared private driveway. Whilst these alterations would result in some modest impact to the future occupiers of dwellings that face the removed landscaped areas, the design officer, upon consultation, noted that the changes were not significant. For clarity, the plans received to demonstrate these amendments consisted of:

- Location Plan (Drawing LP01 Revision B dated March 2020)
- Proposed Site Layout (Drawing 0001 Revision P dated 18 December 2019)
- Boundary Treatment Plan (Drawing BT01 Revision H dated October 2020)
- Hard Landscaping Plan (Drawing HL01 Revision E dated October 2020)
- Materials Plan (Drawing MP01 Revision G dated October 2020)
- Land Disposal Plan (Drawing LDP01 Revision E dated October 2020)
- Waste Management Plan (Drawing WP01 Revision E dated October 2020)
- Boundary Treatment Notes (Drawing BN01 Revision D dated October 2020)
- Proposed EV Charging Point Locations (Drawing EV-01 Revision E dated 15 February 2022)
- Proposed Landscape Plan Sheet 1 (Drawing LS-001 Revision G dated 17 November 2020)
- Proposed Landscape Plan Sheet 2 (Drawing LS-002 Revision G dated 17 November 2020)

RELEVANT PLANNING POLICY

Adopted Rochdale Core Strategy (CS):

SD1	Delivering sustainable development
DM1	General development requirements
DM2	Delivering planning contributions and infrastructure

SO3	Improving design, image and quality of place
P3	Improving design of new development

SO4	Promoting a greener environment
G1	Tackling and adapting to climate change
G2	Energy and new development

SO5	Improving accessibility and delivering sustainable transport
T1	Delivering sustainable transport
T2	Improving accessibility
Appendix 5	Schedule of Parking Standards

Rochdale Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):

Climate Change Adaption (June 2012)

Guidelines & Standards for Residential Development (June 2016)

Provision of Recreational Open Space in New Housing (March 2008 – updated January 2017)

Places for Everyone (PfE) (Emerging Policy)

JP-S 1 Sustainable Development
JP-P 1 Sustainable Places
JP-C 1 an Integrated Network
JP-C 4 Streets for All
JP-C 5 Walking and Cycling
JP-C 7 Transport Requirements of New Development

National Planning Policy & Guidance

National Planning Policy Framework (NPPF) – December 2023
National Planning Practice Guidance (NPPG)
National Design Guide – 2021

RELEVANT SITE HISTORY

23/00479/DOC	Submission of details to comply with condition 4 (written scheme of investigation) on planning permission 20/01429/FUL
22/01377/DOC	Submission of details to comply with conditions 9 (biodiversity enhancement), 15 (off site highway works) and 16 (20mph zone) on planning permission 20/01429/FUL
22/01008/DOC	Submission of details to comply with conditions 11 (landscaping scheme), 12 (FFL), 18 (EV Charging) and 19 (materials specification) on planning permission 20/01429/FUL
22/00187/DOC	Submission of details to comply with conditions 3 (Badger Survey) and 6 (Invasive Species) of planning permission 20/01429/FUL
20/01429/FUL	Proposed erection of 102 no. dwellings with associated roads, footpaths, parking and gardens. Granted 31 March 2022.
18/01082/FUL	Demolition of buildings and walls, and the subsequent erection of 2.4m high palisade fencing. Granted December 2018.
17/00098/DEM	Prior notification for the demolition of the Carcraft showroom building. Granted March 2017.
13/00389/OUT	Outline application for 250 dwellings. Granted 2016.
10/D53039	Outline application for 250 dwellings. Granted 2010.
06/D47941	Outline application for 250 dwellings. Granted 2007.

CONSULTATION RESPONSES

Education – 01 December 2022

Confirmed no comment.

Environmental Protection – 01 December 2022

Confirmed no comment.

Greater Manchester Ecology Unit (GMEU) – 16 January 2023

Confirmed no objection and no further comments to add.

Highways – 08 November 2023

Confirmed no objection with regards to construction details, including traffic calming, allowing for discharge/variation of Conditions 2, 13, and 18.

Lead Local Flood Authority – 15 November 2023

Confirmed no objection with regards to details provided in order to vary (discharge) Condition 13.

Legal

The Section 106 Agreement for Nixon Street includes provision for Section 73 applications and that it ties any further application to the Section 106 Agreement. The fact that no obligations are changing, a Section 73 application can be considered without the need for a Deed of Variation.

Street Lighting – 18 December 2023

Confirmed acceptance of street lighting as proposed, no objection with regards to details provided in order to vary (discharge) Condition 13.

United Utilities – 06 January 2023

Confirmed no objection to amended plans and acceptance to variation of Condition 2, subject to an informative.

MEMBER REPRESENTATIONS

None

PUBLIC REPRESENTATIONS

- **Press Advert (Major Development)**
Date Published: 07 December 2022
Date of Expiry: 31 December 2022
- **Site Notice (Major Development)**
Date Published: 09 August 2023
Date of Expiry: 02 September 2023
- **Neighbour Consultation**
Consulted: 30 November 2022
Reply by Date: 24 December 2022

One neutral comment received.

ANALYSIS

Principle of Development

The principle of the proposed development was established by the granting of planning permission 20/01429/FUL, with the associated assessment addressing all material planning considerations.

Condition 2 (Approved Plans)

The application seeks permission to vary approved plans. The variations consist of removal of garages to Plots 26-31 and Plots 64-75, replacing the space with off-street surface parking to the affected plots. In addition, a substation is to be erected to the north of the approved attenuation basin. The proposed amendments would remain consistent with the parking standards set out in the adopted Rochdale Core Strategy. As such, the proposal remains consistent with CS Policy T2 and DM1, as well as emerging Policy JP-C 7 of PfE. The removal of the proposed garages would have no significant impact on the design and appearance of the proposed development, with alterations to plot layouts also acceptable, consistent with CS Policy DM1,

The application also seeks to vary approved plans through the provision of an electricity sub-station. The electricity sub-station is functional in appearance. However, would not have a significant impact on the overall appearance of the proposed development. The substation is of an appropriate size, scale and appearance and would have no significant impact on the proposed and approved landscaping. As such, the addition of the substation is consistent with CS Policies DM1, P3 and G2.

Condition 2 (Approved Plans) – Additional Amendments received 15 March 2024

Whilst assessing the submitted variation of condition application, the applicant submitted a suite of amended plans to reflect proposed minor amendments to the layout of Plots 5, 14, 89 and 98. The changes consist of the enlargement of the private back garden areas of these plots. This is achieved by extending the close boarded timber fencing up to the adjoining shared private driveways serving nearby plots, removing an associated landscaped buffer. These alterations would have some modest impact on the amenity of future occupiers of those dwellings that face the close boarded timber fencing, which is less desirable than the landscaped area that would have obscured the fencing somewhat from view. Nonetheless, the changes are not significant and the amenity impact would not be so significant that these minor alterations cannot be supported. The proposal remains consistent with Core Strategy Policies DM1, P3 and the National Planning Policy Framework.

Condition 13 (Vehicular Access)

The application has been submitted with plans and documents demonstrating the formation of the vehicular access required from Nixon Street. The plans and documents have been reviewed in collaboration with the Council's Highways & Engineering department, Street Lighting team and Drainage Team. Consultees have confirmed no objections and the proposals are acceptable, with the submitted information allowing for the discharge/variation of Condition 13. As such, the proposal is acceptable in this regard and consistent with CS Policy T1, T2, and emerging policies of PfE as well as the National Planning Policy Framework.

Condition 18 (EV Charging)

The application has been submitted with plans and documents demonstrating compliance with Condition 18 with regards to the provision of EV charging. The plans and documents sufficiently demonstrate that appropriate EV charging infrastructure

is to be implemented across the application site, in accordance with Policies T1, T2, G3 relevant emerging Policies within PfE as well as relevant policies within the NPPF.

Condition 19 (External Materials)

The application is supported by plans and documents demonstrating full details of proposed materials to be applied to external elevations of dwellings, including brickwork, roof tiles, as well as accessories and features including bay windows, soffits, barge boards etc. The submitted plans and documents are considered to sufficiently indicate and identify materials, which are considered acceptable in terms of type and quality. As such, Condition 19 can be discharged/varied as requested. The application is consistent with CS Policies DM1, P3, as well as relevant policies as referred to and set out in PfE as well as the NPPF.

CONCLUSIONS

The proposed additions and alterations to the development are acceptable, with variation of conditions (or their discharge) acceptable based on the submitted plans and documents submitted in support of the application. The proposals are consistent with relevant Policies DM1, P3, G1, G2, T1 and T2 of the adopted Rochdale Core Strategy, emerging Policies JP-S 1, JP-P 1, JP-C 1, JP-C 4, JP-C 5 and JP-C 7 of Places for Everyone and the National Planning Policy Framework.

Additional conditions to be varied due to previous discharge of condition applications to include:

- Condition 3 (Badger Survey)
- Condition 4 (Written Scheme of Investigation)
- Condition 5 (Construction Management Plan)
- Condition 6 (Invasive Species)
- Condition 9 (Biodiversity Enhancements)
- Condition 11 (Landscaping Scheme)
- Condition 12 (Finished Floor Levels)
- Condition 14 (Travel Plan)
- Condition 15 (Off Site Highway Works)
- Condition 16 (20mph Speed Limit)
- Condition 17 (Parking Areas)
- Condition 21 (Sustainable Drainage)

RECOMMENDATION

1. The development must be begun not later than 31 March 2025.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The permission relates to the following plans:

- Site Location Plan (Drawing Ip01 Revision B dated March 2020)
- Proposed Site Layout (Drawing 0001 Revision P dated 18 December 2019)
- Land Disposal Plan (Drawing LDP01 Revision E dated October 2020)
- Hard Landscaping Plan (Drawing HL01 Revision E dated October 2020)
- Cornbrook End House Type Details (Drawing CO-END-001 Revision E)
- Bowker End House Type Details (Drawing BO-END-001 Revision E)
- Bowker Alternative House Type Details (Drawing BO-ALT-001 Revision C)
- Hollinwood House Type Details (Drawing HW-001 Revision C)

- Newhey Alternative Bay House Type Details (Drawing NH-ALT B-001 Revision B)
- Firwood House Type Details (Drawing FI-001 Revision D)
- Brooklands Alternative Bay House Type Details (Drawing BR ALT B-001 Revision C)
- Heaton House Type Details (HE-001 Revision C)
- Single Garage Details (SG-001)
- Double Garage Details (DG-001)
- Boundary Treatment Plan (Drawing BT01 Revision H dated October 2020)
- Boundary Treatment Notes (Drawing BN01 Revision D dated October 2020)
- Boundary Wall Remedial Works Plan (Drawing 20066-EDGE-XX-XX-DR-S-8001 Revision P01)
- 1800mm High Feathered Access Door Details (Drawing TG01 dated October 2020)
- 1800mm Feather Edges Timber Fence (Drawing FB01 dated October 2020)
- 2100mm Trellis Fence Details (Drawing FB02 Revision A dated January 2022)
- 1800mm Brick Wall with Piers Details (Drawing BW01 dated November 2020)
- Proposed Landscaping Plan Sheet 1 of 2 (Drawing LS-001 Revision G dated 17 November 2020)
- Proposed Landscaping Plan Sheet 2 of 2 (Drawing LS-002 Revision G dated 17 November 2020)
- Proposed EV Charging Point Locations (Drawing EV-01 Revision E dated 15 February 2022)
- Proposed EV Charging Point Details prepared by Project EV (Reference EVA-07S-SE / EVA-07S-SE-C dated January 2023)
- Proposed EV Charging Points Information Document prepared by Project EV (Reference EV EVA-03/07S-SE Single Phase AC Charging Equipment Quick User Manual)
- Proposed Materials Plan (Drawing MP01 Revision G dated October 2020)
- LA Square Bay Roof Specifications (Drawing 'Mould 122' dated 05 January 2023)
- LA Shallow Canopy Specifications (Drawing 'Mould 120' dated 04 January 2023)
- Rainwater Goods, Soffits, Fascia Material Details prepared by Homeline Building Products Ltd (Reference 09/4639 Product Sheet 1)
- Staffordshire Blue Brick Specification prepared by Ketley Brick (Reference 'BS EN 771-1:2011')
- Roof Tile and Accessories Details prepared by Northstone
- Waste Management Plan (Drawing WP01 Revision E dated October 2020)
- Drainage Layout (Drawing C2001 Revision C08)
- External Works Sheet 1 of 4 (Drawing 20066-EDGE-XX-XX-DR-C-1001 Revision P03)
- External Works Sheet 2 of 4 (Drawing 20066-EDGE-XX-XX-DR-C-1002 Revision P03)
- External Works Sheet 3 of 4 (Drawing 20066-EDGE-XX-XX-DR-C-1003 Revision P03)
- External Works Sheet 4 of 4 (Drawing 20066-EDGE-XX-XX-DR-C-1004 Revision P03)
- Construction Details (Parking Areas) (Drawing 20066-XX-XX-DR-C-3201 Revision C04)
- Plot Drainage Sheet 1 of 4 (Drawing 20066-EDGE-XX-XX-DR-C-2011 Revision P01)
- Plot Drainage Sheet 2 of 4 (Drawing 20066-EDGE-XX-XX-DR-C-2012 Revision P01)
- Plot Drainage Sheet 3 of 4 (Drawing 20066-EDGE-XX-XX-DR-C-2013 Revision P01)

- Plot Drainage Sheet 4 of 4 (Drawing 20066-EDGE-XX-XX-DR-C-2014 Revision P01)
- Catchment Analysis (Drawing C2002 Revision P01)
- Substation Construction Details (Drawing 900350-028 Revision 1 dated November 2018)
- Road Construction Details (Drawing 20066-XX-XX-DR-X-3201 Revision C02)
- Road Marking Details (Drawing C3008 Revision P01)
- Traffic Calming Details (Drawing 20026-EDGE-XX-XX-DR-C-0311 Revision P01)
- Street Lighting Design (Drawing SHD442-SHD-HLG-NIXO-DR-EO-Lighting Layout-RT) Revision R5 dated 07 March 2022.
- Biodiversity Enhancements Plan prepared by ERAP Consultant Ecologists (Ref: 2020-240 Version 1 dated 13 September 2021)
- Badger Survey and Assessment and Updated Mitigation Strategy prepared by ERAP Consultant Ecologists (Ref: 2020-240e dated January 2022)
- Japanese Knotweed Eradication Proposal prepared by Complete Weed (Reference 'Nixon Street, Rochdale' Version 1 dated 09 November 2021)
- Japanese Knotweed Management Plan prepared by Complete Weed Control (Reference 'Nixon Street, Version 1' dated 14 October 2022).
- Archaeological Strip, Map and Record and Watching Brief Report prepared by Oxford Archaeology (Reference 'Nixon Street, Castleton, Rochdale, Greater Manchester' Version V3 dated March 2023)
- Construction and Environmental Management Plan prepared by Seddon Construction (Reference 'Nixon Street, Rochdale, OL11 3JL' dated July 2022)
- Arboricultural Constraints Appraisal prepared by Bowland Tree Consultancy Limited (Reference 'Land of Nixon Street, Rochdale, Greater Manchester, OL11 3JW dated September 2020)
- Ecological Survey and Assessment prepared by ERAP Consultant Ecologists (Reference 2020-240 dated October 2020)
- Crime Impact Statement prepared by Greater Manchester Police (Reference 2009/1170/CIS/02 dated 31 March 2021)
- Overflow Pond Details prepared by EDGE Consulting Engineers (Reference 20066-EDGE-XX-XX-DR-C-2015 Revision C01).
- Drainage Maintenance Plan prepared by EDGE Consulting Engineers (Reference 20066-EDGE-XX-XX-RP-C-0002 Revision P02)

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 Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. The development shall be carried out in full accordance with the approved 'Badger Survey and Assessment and Updated Mitigation Strategy' as set out in Condition 2. Confirmation that the final updated survey has been completed and a copy of any associated Natural England license shall be submitted to the Local Planning Authority.

Reason: in the interest of species protection in accordance with the adopted Rochdale Core Strategy Policy G7 and the National Planning Policy Framework.

4. The development shall be carried out in full accordance with the approved 'Archaeological Strip, Map and Record and Watching Brief Report' as set out in Condition 2.

Reason: To record and advance understanding of the significance of any heritage asset to lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible in accordance with Policies P2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. The development shall be carried out in full accordance with the approved 'Construction and Environmental Management Plan' (CEMP) as set out in Condition 2.

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.

6. The development shall be carried out in full accordance with the approved 'Japanese Knotweed Eradication Proposal' and 'Japanese Knotweed Management Plan' as set out in Condition 2. The development shall thereafter be carried out in strict accordance with the details and timescales contained within the duly approved method statement.

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.

7. No development shall take place until the proposals for protecting retained trees as described in the Arboriculture Constraints Appraisal (Bowland Tree Consultancy, dated September 2020) and the Ecological Survey and Assessment (October 2020) have been implemented in full. 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.

8. The development shall be carried out in accordance with the mitigation measures detailed within the Ecological Survey and Assessment (Erap Ltd, October 2020, Version 1), including the Reasonable Avoidance Measures specified at paragraphs 5.4.3-5.4.4 and 5.4.6-5.4.9.

Reason: In the interests of enhancing biodiversity and in order to protect bats, in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

9. Prior to the first occupation of each plot of the development hereby approved, all mitigation measures/biodiversity enhancements as set out in the 'Ecological Survey and Assessment' on or within the relevant plot aforementioned have been installed in accordance with the approved detail.

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.

10. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11. The development shall be carried out in complete accordance with the approved 'Hard Landscaping Plan', 'Proposed Landscaping Plan Sheet 1' and 'Proposed Landscaping Plan Sheet 2' as set out in Condition 2. The areas which are soft landscaped shall be retained as landscaped areas thereafter. Should any trees, shrubs or grassed areas be removed, die, becomes severely damaged or become seriously diseased within five years of planting, they shall be replaced by vegetation of similar size and species to those originally required to be planted.

Reason: In order to achieve a satisfactory level of landscaping in the interests of the amenities of the area in accordance with adopted Core Strategy policy P3 and the National Planning Policy Framework. Also to ensure adequate provision of infrastructure to serve the development in the interests of highway and pedestrian safety and the safety of other users of the highway in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

12. The development shall be carried out in complete accordance with the approved 'External Works Sheets' in relation to Finished Floor Levels, as set out in Condition 2.

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.

13. No development, other than site clearance and preparation, shall take place until a comprehensive scheme of works for the formation of the vehicular access from Nixon Street, to include construction level drawings showing existing and proposed levels relative to off-site datum, a drainage strategy, lighting and materials, and timescales for implementation has been submitted

to and approved in writing by the Local Planning Authority. The access shall be completed in accordance with the approved scheme and the timescales embodied within it.

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

14. The development shall be carried out in complete accordance with those details and measures set out in the approved 'Residential Travel Plan' as set out in Condition 2.

Reason: In order to ensure that the development encourages people to travel by sustainable modes of transport in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

15. The development shall be carried out in complete accordance with the approved 'Road Construction Details', 'Road Marking Details' and 'Street Lighting Details' as set out in Condition 2 and those works shall be implemented in accordance with the approved timescales for implementation.

Reason for pre-commencement condition: To ensure safe pedestrian connections during construction and operation of the development

16. The development shall be carried out in complete accordance with the approved 'Traffic Calming Details' as set out in Condition 2 and those works shall be implemented in accordance with the approved timescales for implementation.

Reason: In the interests of highway safety in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

17. The development shall be carried out in complete accordance with the approved 'Construction Details (Parking Areas)' sheets as set out in Condition 2.

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 the requirements of 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.

18. The development shall be carried out in complete accordance with the approved 'Proposed EV Charging Point Locations', 'Proposed EV Charging Point Details' and 'Proposed EV Charging Point Information Document' or revisions thereof. The EV Charging Points shall be installed to each plot prior to the occupation of each aforementioned plot.

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

19. The development shall be carried out in complete accordance with the External Materials plans, documents, specifications and details as set out in Condition 2.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

20. No dwelling shall be occupied until the surface water drainage for the development hereby approved, has been carried out in accordance with the principles set out in the submitted Foul & Surface Water Drainage Design Drawing C2001, Rev P02 - dated 29/07.20, prepared by Edge Consulting Engineers. For the avoidance of doubt, surface water must drain at a maximum restricted rate of 30l/s. No surface water will be permitted to drain directly or indirectly into the foul water sewer. The development shall be completed in accordance with the approved details and retained as such thereafter.

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 Policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

21. The development shall be carried out in complete accordance with the details and requirements set out in the approved 'Drainage Management Plan', 'Overflow Pond Details' and 'Drainage Layout' as set out in Condition 2.

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 adopted Core Strategy Policy G8, saved Unitary Development Plan Policies EM/7 and EM/8, and the National Planning Policy Framework.

22. No dwelling shall be occupied until the development has been carried out in complete accordance with the approved Detailed Remediation Strategy and also until a report which demonstrates the completion and effectiveness of the hereby approved remediation works as they relate to that dwelling, has been submitted to, and approved in writing by the Local Planning Authority. The interim report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. A final verification report shall be submitted prior to final occupation of the development.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where additional remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a further verification report must be submitted to and approved in writing of the Local Planning Authority.

Reason: To ensure that the requirements of the approved verification plan have been met and that remediation of the site is complete in accordance

with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

23. The development shall be carried out in accordance with the relevant sections of the approved 'Crime Impact Statement' as set out in Condition 2.

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.

24. The boundary treatments to the site shall be erected in accordance with the detail shown on the approved 'Boundary Treatment Plan' and in accordance with the plans listed in Condition 2 of this permission. The boundary treatments shall be retained as installed thereafter.

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.

25. The development shall be carried out in full accordance with the approved 'Street Lighting Design' as set out in Condition 2.

Reason. To prevent habitat disturbance of protected species, to limit visual impacts on the landscape and to ensure a satisfactory standard of development in accordance with Policies P3, G7 and G9 of the Rochdale Core Strategy and the National Planning Policy Framework.

Notes to applicant

This decision notice should be read in conjunction with the S106 legal agreement dated 31 March 2022 which accompanied 20/01429/FUL.