



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/01406/VRCON

Name and address for correspondence:	Applicant name:
MCK Associates MCK Associates Limited Burnaby Villa 48 Watling Street Road Fulwood Preston PR2 8BP United Kingdom	Mr Edward Milner

Part I - Particulars of Application

Date of Application: 1 November 2022

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, enlargement of rear garden areas to plots 5, 14, 89 and 98 resulting in reduction in size of landscaped areas adjacent to plots. ,
Location:	Land At Nixon Street, Rochdale, OL11 3JW,

Part II - Particulars of decision

The Rochdale Metropolitan 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 submitted plans subject to the following condition(s):

Conditions and Reasons:

- 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 LP01 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 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 Information (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 P05)
- 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)
- 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)
- 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)
- 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)

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 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 The development shall be carried out in complete accordance with the approved 'Road Construction Details', 'Road Marking Details' and 'Street Lighting Design' in relation to the formation of the Nixon Street vehicular access, as set out in Condition 2.

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 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.

Statement under Article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended):

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Date Decision Issued 15 March 2024

Daniela Ripa
Interim Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

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

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £34.00 for householder applications and £116.00 in all other cases.

INFORMATIVE:

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority Property Search Service on 0845 762 6848 or at www.groundstability.com.

INFORMATIVE:

The applicant is advised that the supply and delivery of refuse containers (including all wheelie bins and food waste caddies) for residential developments is chargeable and the responsibility for these charges rests with the applicant/developer. The cost is based on a variable rate per property depending on the property size and number of bedrooms but as an indication, the present charge for a suite of three 240l recycling bins and one 240l refuse bin is £144 per residence. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.

INFORMATIVE:

A water main crosses the site. It must not be built over, or our access to the pipeline compromised in any way. The Water Industry Act 1991 affords United Utilities specific rights in relation to maintenance, repair, access and protection of our water infrastructure. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which accompanies this letter. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period. It also includes advice regarding landscaping in the vicinity of pipelines.

Following our review of the proposed site layout, it appears that our required access to the water main is provided. This is based purely on the information contained within the submitted plan. The acceptability of any proposal is dependent upon the applicant knowing the exact location (line and depth) of the asset in question. The applicant should ensure this is confirmed through site specific investigations as this could be material to the detail of the design including the proposed crossings, including services.

Should the applicant need to discuss the options for the existing water assets within the site, please contact DeveloperServicesWater@uuplc.co.uk