

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00306/FUL

Name and address for correspondence:	Applicant name:
Steven Winterbottom 33 Church Road Greenfield Oldham OI3 7LQ	Mr Jon Walker J Walker Homes Limited

Part I - Particulars of Application

Date of Application: 12 April 2024

Proposal:	Construction of five new three bedroomed residential dwellings with associated car parking and landscaping works
Location:	Land Off Damson Green/Baytree Lane, Middleton , M24 2UL

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and subject to the following condition(s):

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.

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

- 2 This permission shall relate to the following plans:-

Proposed Site Plan (9320.PL.01 rev A)
Proposed Floor Plans (9320.PL.02)
Proposed Elevations Plots 1-2 (9320.PL.03)
Proposed Elevations Plots 3-5 (9320.PL.04)
Proposed Roof Plans (9320.PL.05)
Tree Survey and Root Protection Area (7425.01)
Tree Survey and Root Protection Area (7425.02)

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 Unitary Development Plan and the National Planning Policy Framework.

- 3 The development hereby approved shall be implemented in full accordance with the Affordable Housing Statement (Planning Application Statement of Support from First Choice Homes Oldham). The affordable homes shall be retained in such occupation thereafter.

Reason: To ensure the provision of affordable housing which has been afforded significant weight in the planning balance and in accordance and in accordance with Policy C4 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 4 No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The tree protection measures shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

The development, including works to trees and vegetation, shall be carried out in accordance with the Tree Survey and Root Protection Area plans (7425.01 & 02) and the Arboricultural Impact Assessment & Method Statement (PD/7425/AIA&AMS/APR24).

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.

Reason for pre-commencement condition: Protection measures for retained trees are required to be in place prior to commencement of any works on site to ensure no damage is caused.

- 5 No part of the development hereby approved shall be occupied until a validation report demonstrating all imported material as suitable for use and documentation demonstrating removed material has been disposed of properly has been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent pollution of the environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, saved Policy EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 6 No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details of the following:
- i. hours for site preparation, delivery of materials, and construction;
 - ii. the parking of vehicles of site operatives and visitors;
 - iii. loading and unloading of plant and materials;
 - iv. storage of plant and materials used in constructing the development;
 - v. the erection and maintenance of security hoarding;
 - vi. wheel washing facilities;
 - vii. measures to control the emission of dust and dirt during construction.

The duly approved method statement shall be adhered to throughout the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings during the

construction of the development in accordance with the requirements of Unitary Development Plan policies BE/2 and EM/3, and the National Planning Policy Framework.

Reason for pre-commencement condition: The impacts of the construction phase will be immediate on commencement and therefore it is necessary to confirm what measures will be put in place to protect the amenity of nearby residents prior to commencement of any works on site.

- 7 Notwithstanding any description of materials in the application no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the dwellings have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- 8 The development hereby approved shall be carried out in accordance with the approved drainage scheme:
- Drainage Layouts drg 1332-900/P1 by Build Vision Consulting Eng. dated March 2024
 - Hard Paving Plan & Details drg 1332-901/P1 by Build Vision Consulting Eng. March 2024

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

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 9 The works shall be undertaken in accordance with the biodiversity enhancement measures for birds, bats, and hedgehogs as identified in the Preliminary Ecological Appraisal (dated February 2024 by Verity Webster). The measures identified shall be installed prior to occupation of the hereby approved dwellings and retained thereafter.

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

Procedure Statement:

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 20 August 2024

Melanie Hale
Head of Planning Services

IMPORTANT

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

INFORMATIVE:

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

INFORMATIVE:

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

INFORMATIVE:

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

INFORMATIVE:

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