



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00394/VRCON

Name and address for correspondence:	Applicant name:
Ms Kirsty Wright Westchurch Homes Limited Kennedy House 31 Stamford Street Altrincham Cheshire WA14 1ES United Kingdom	Ms Kirsty Wright

Part I - Particulars of Application

Date of Application: 24 May 2024

Proposal:	Section 73 application to delete condition 5 of planning permission 21/01796/FUL (Residential development of up to 72 dwellings including landscaping, boundary treatments, public open space and infrastructure following demolition of existing buildings and associated structures)
Location:	Marina Ropes Ltd, Cartridge Ropery, Brunswick Street, Heywood, OL10 1HA,

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 This permission relates to the following plans:-

SL01 Location Plan
36520-SK230616 Masterplan Rev E
05-001 Proposed Housetype Elevations Burghley/ Burghley Alt
05-002 Proposed Housetype Elevations Knowl Rev A
05-003 Proposed Housetype Elevations Arundel + Rev A
05-004 Proposed Housetype Elevations Arundel Rev A
05-005 Proposed Housetype Elevations Chatsworth Rev A
05-006 Proposed Housetype Elevations Woburn + Rev A
05-007 Proposed Housetype Elevations Woburn ++ Rev A
05-008 Proposed Housetype Elevations Burghley Mid Rev A

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.

- 2 No development (other than demolition and works of site clearance) shall take place until such time as a scheme for the disposal of foul and surface waters from the site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separately from foul water. The surface water drainage scheme should be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, and include details of how the scheme shall be managed after completion. The development shall be completed, maintained and managed in accordance with the approved details.

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, Policy JP-S4 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works, these details are required prior to commencement of any building or engineering works on site.

- 3 Notwithstanding any description in the application, no above ground works shall take place until full product specifications for the windows, external doors, roof lights, and detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details thereafter.

Reason: In the interests of visual amenity and in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 4 Notwithstanding any description in the application or approved plans, no above ground works shall take place until full details of the design and placement of any pipework, meter boxes or flues (as necessary) to be fixed to the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be duly implemented and retained as such thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 5 The development hereby approved shall not be occupied until such time as a final copy of the Historical Building Investigation Statement by Salford Environmental Consultancy as approved under application ref. 24/00102/DOC has been submitted to and approved in writing by the Local Planning Authority.

Reason: To record and advance understanding of the significance of the buildings to be demolished and to make this evidence (and any archive generated) publicly accessible, in accordance with the requirements of Core Strategy Policy P2, Policy JP-P2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 6 The development hereby approved shall not be occupied until such time as all of the required elements of fieldwork have been completed, together with post-excavation analysis and reporting, the deposition of a project archive and an appropriate level of dissemination as set out within the Written Scheme of Investigation by Lanpro ref. 4947 as approved under 24/00102/DOC has been submitted to and approved in writing by the Local Planning Authority.

Reason: To record and advance understanding of the significance of the buildings to be demolished and to make this evidence (and any archive generated) publicly accessible, in accordance with the requirements of Core Strategy Policy P2, Policy JP-P2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 7 The development hereby approved shall be carried out in accordance with the recommendations contained within the Ground Stability Assessment Report by CC Geotechnical Limited ref. CCG-C-22-13039 dated June 2022.

No part of the development shall be occupied until such time as details confirming the effectiveness of the remedial measures set out in the approved report have been submitted to and approved in writing by the Local Planning Authority.

Reason: 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, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 8 The development hereby approved shall not be occupied until such time as the access serving the development has been constructed in accordance with the details contained within the plans "100 - S38 - Section 38 Agreement Plan" and "Brunswick Street - Hard Landscaping Layout - Rev D" as approved under application ref. 24/00217/DOC.

Reason: In the interests of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 9 No part of the development shall be occupied until such time as full details for the construction of the porches have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, details shall be largely in accordance with the approved plan "A-DT-001 - Proposed Canopy/Porch Detail" dated 07/08/2023 by Broadway Malyan. The porches shall be constructed in accordance with the approved details prior to the occupation of the relevant unit.

Reason: In the interest of visual amenity and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 10 The hard and soft landscaping works shall be carried out in accordance with the details contained within the plans "Landscape Proposals ref. 6725.01 rev.G" dated December 2021 and "Hard Landscaping Layout ref. HL01 rev.D" dated November 2023 as approved under application ref. 24/00018/DOC.

The hard and soft landscaping works shall be carried out in accordance with a scheme of timing/phasing of implementation which has first been submitted to and agreed in writing with the Local Planning Authority, or within the next planting season following the final occupation of the development hereby approved.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Core Strategy Policies G6 and G7, Policies JP-G6, JP-G7 and JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 11 The development hereby approved shall not be occupied until such time as works of biodiversity enhancement have been carried out in accordance with the details contained within the document "Biodiversity Enhancement and Management Plan" ref. 10305.003 dated February 2024 as approved under application ref. 24/00217/DOC. The measures shall be retained and maintained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 12 The development hereby approved shall not be occupied until such time as the boundary treatments have been constructed in accordance with the plans ref. BT01 rev. I and B-12.1-03 as approved under application ref. 24/00018/DOC. The structures shall be retained and maintained thereafter.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 13 The development hereby approved shall be not be occupied until such time as works have been carried out in accordance with the submitted Landscape Ecological Management Plan ref. 10305.002 by TEP dated February 2024.

Reason: To ensure that the adjacent dwellings receive adequate access to natural light without undue harm to the ecological and visual contribution of this part of the site and in accordance with Policies G6 and DM1 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-G6 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework

- 14 No part of the development hereby approved shall be occupied until such time as full details of the "ghost signage" mural to be installed to the junction of Brunswick Street and Wesley Street have been submitted to and approved in writing by the Local Planning Authority. The mural shall be installed in accordance with the approved details prior to the final occupation of the approved development.

Reason: In the interest of the character and appearance of the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 15 No development shall take place until the trees that are to be retained within the site has been enclosed with temporary protective fencing and temporary ground protection has been fully installed in full accordance with BS:5837:2012 'Trees in relation to design, demolition and construction'. The necessary protection measures shall be retained during the period of construction and throughout the installation of the temporary development hereby approved and no work, excavation, tipping, or stacking/storage of materials shall take place beyond such protective fencing during the construction period.

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, G1, G6 and G7 of the adopted Rochdale Core Strategy, Policies JP-P1, JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 16 The development hereby approved shall be carried out in strict accordance with the "Hedgehog Reasonable Avoidance Measures Method Statement" By TEP ref. 10305.001 and dated February 2024 as approved under 24/00217/DOC.

Reason: In order to minimise potential risk to protected species and in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 17 The development hereby approved shall be carried out in accordance with the Construction Environmental Management Plan ref. 1016-CEMP01-Rev A as approved under 24/00018/DOC.

Reason: To minimise the detrimental effects to the natural environment through risks of pollution during the construction phase in accordance with Policies DM1, G7 and G9 of the Core Strategy, Policies JP-P1 and JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 18 The external ground levels and finished floor levels of the development hereby approved shall be carried out in accordance with the plan "External Levels & Features Plan" ref. 23248-BGC-D-101 rev.A by Banners Gate dated January 2024.

Reason: In the interests of amenity and in compliance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework

- 19 The development hereby approved shall be constructed in accordance with the materials contained within the document "Proposed Materials Across all Site Plots" ref. 1016 MS01 rev.C Dated 05/06/2024 and Materials Layout ref. ML01 rev.D as approved under 24/00018/DOC in addition to any other materials as submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 20 The development hereby approved shall be implemented in full accordance with the document "Brunswick Street - Affordable Housing Scheme" by Westchurch Homes, received by the Council on 22/02/2024 and the plan "Brunswick Street - Tenure Plan ref. TP01 - rev.E" dated November 2023 demonstrating the relevant tenure of each dwelling. The properties shall be subject to such occupation and sale thereafter.

Reason: To ensure the provision of affordable housing which has been afforded significant weight in the overall planning balance and in accordance and in accordance with Policy C4 of the adopted Rochdale Core Strategy, Policy JP-H2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 21 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, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 22 The development hereby approved shall be carried out in accordance with the reasonable avoidance measures for bats contained in section 6.5 of the submitted Ecological Assessment by TEP reference 9072.002.

Reason: to ensure that the development does not result in unacceptable impact to protected species and in accordance with Policy G7 of the adopted Rochdale Core

Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 23 The development shall be constructed in accordance with the physical security measures outlined in Section 4 of the approved Crime Impact Statement (ref: 2021/0604/CIS/01 Version A dated January 2022) unless otherwise agreed in writing with the local planning authority.

Reason: For the avoidance of doubt and in the interests of public safety and security in accordance with Core Strategy Policy P3, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 24 No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented.

Reason: In the interests of amenity and the conservation of protected species and in compliance with Policies P3, G9, DM1 and G7 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

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

Reason: To prevent undue harm to the amenity of existing and future occupiers and in the interest of visual amenity and in accordance with Policies P2, P3 and DM1 adopted Rochdale Core Strategy, Policies JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Procedure Statement:

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Date Decision Issued 19 July 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 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.

ECOLOGY:

Bats can be mobile and cryptic in their habits, and can turn up in unexpected places. Under the Wildlife and Countryside Act 1981 it is an offence to capture, injure or kill a bat, deliberately disturb a bat, or damage or destroy a bat roost. Planning consent does not provide a defence against prosecution under this act. If bats are encountered at any time during works, work must cease and advice sought from a suitably qualified person about how best to proceed.

Under Section 1 of the Wildlife and Countryside Act (1981) it is a criminal offence for a person to intentionally kill, injure or take any wild bird, or damage or destroy the nest of any wild bird whilst that nest is in use or being built. Additional care should be taken through the nesting season which runs from 1st March to 31st August inclusive. If any nesting bird is found or suspected which would be affected by the development, work should cease immediately and a suitably qualified ecologist should be contacted for advice at the expense of the applicant. Planning permission does not provide a defence against prosecution under the aforementioned act.

COAL AUTHORITY:

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:
<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>