

Town and Country Planning Act 1990 (as amended)

OUTLINE PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/01076/OUT

Name and address for correspondence:	Applicant name:
Ben Pond 22 Farmway Manchester M24 1DU	Mr Lawrence Owen

Part 1 - Particulars of Application

Date of Application: 29 October 2024

Proposal:	Outline application (including details of access, layout, scale and appearance) for the erection of 3no. two storey townhouses.
Location:	Land To The West Of Rutland Street And South Of Starkey Street, Heywood, OL10 4JJ

Part 2 Compliance with Conditions

It is YOUR responsibility to comply with planning conditions. The Council's Planning Enforcement Team is responsible for investigating alleged breaches of planning control. This includes ensuring that all relevant conditions have been complied with. Effective enforcement is important to:

- Tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.

Whilst the majority of developers/homeowners do comply with the requirements of planning permissions, there are a number who do not. Where any planning conditions are breached, the Council can take formal enforcement action without further notice. Enforcement action could include such measures as requiring remedial works, cessation of use, or complete demolition and can cause the developer/homeowner unnecessary expense, delay and frustration. In some cases, failure to comply with planning conditions can lead to the loss of the planning permission.

Part 3 - 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 submitted plans subject to the following condition(s):

Conditions and Reasons:

- 1 Application for approval of reserved matters must be made not later than the expiry of three years beginning with the date of this permission and the development must be begun not later than the expiry of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed by Section 92 (as amended) of the Town and Country Planning Act 1990.

- 2 Before any development is commenced approval shall first be obtained from the local planning authority with respect to the reserved matters, namely the landscaping of the development.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise required by the conditions below:

Drawing 015 L01 revision 2 - Location Plan
Drawing 015 101 revision 3 - Existing and Proposed Site Plan
Drawing 015 103 revision 2 - Existing and Proposed Street Scene
Drawing 015 102 revision 2 - Proposed GA Plans and Elevations
Flood Risk Assessment & Drainage Strategy FRA241073-COM-R1 Oct 2024
FRA Addendum FRA251053 May 2025 FRA251053
Arboricultural Impact Assessment with Tree Protection Measures' document dated June 2024
Preliminary Ecological Appraisal dated July 2024 ref PR-0209-24

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.

- 4 Notwithstanding the approved plans and before development commences, the outline proposals and principles discussed in:

- o Flood Risk Assessment & Drainage Strategy FRA241073-COM-R1 Oct 2024
- o FRA Addendum FRA251053 May 2025 FRA251053

should be further developed to provide a detailed surface water drainage scheme that prioritises the use of the most sustainable surface water drainage systems based on the findings of a detailed ground investigation shall be submitted to and approved in writing by the local planning authority.

The scheme shall include a timetable for implementation; take account of advice received from the Council as Lead Local Flood Authority and other relevant agencies and providers; satisfy the flow regimes and run-off rates set out in policy.

It should include maintenance arrangements to ensure an acceptable standard of operation for the lifetime of the development and where possible provide multifunctional benefits.

The drainage scheme should confirm / incorporate as a minimum:

- o Final outfall arrangements in accordance with the SuDS Hierarchy. This should be supported by site specific data of infiltration potential. Together with comprehensive assessments of feasibility for alternatives for discharge to a water body, open watercourse, culvert or public surface water sewer.
- o Final SuDS template options with appropriate justification for selected / excluded components for all development areas eg.
 - o Highways / access roads.
 - o Development parcels
 - o Public open space
 - o Landscaped areas
 - o Details of proposed attenuation including volumes and drain down times
 - o Detailed design of the fully integrated drainage system.
 - o Details for management of infrastructure including preliminary discussions / agreements in principle with any adopting / controlling bodies.
 - o Details of any discussions / agreements with any 3rd party land or asset owners.
- o The approved scheme shall be implemented in full in accordance with any approved timetables for implementation.

Notwithstanding any prior applications or approvals, any previously submitted drainage proposals should not be considered as acceptable pending discharge of this condition.

Notwithstanding any prior applications or approvals, any previously submitted site, housing, other buildings and road layouts should not be considered as fixed / unchangeable pending discharge of this condition.

This is a single condition and partial discharge arrangements will not be considered.

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

- 5 No above ground works shall take place until such time as a detailed specification and/or samples of materials to be used externally in the construction of the development have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall be carried out in accordance with the duly approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance 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.

- 6 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 ensuring a satisfactory visual appearance to the development and in accordance 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.

- 7 Notwithstanding any details submitted as part of the application, no part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been

submitted to and approved in writing by the Local Planning Authority. Any structures shall be installed in accordance with the approved details prior to the first occupation of the approved development and retained thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance 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.

- 8 No part of the development hereby permitted shall be occupied until a scheme of biodiversity enhancements pursuant to that phase of development has been submitted to and approved in writing by the Local Planning Authority. Such measures shall include the integration of bat and bird boxes onto the new dwellings. The duly approved scheme shall be implemented in full prior to final occupation of the phase of development to which the measures relate 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, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 9 No removal of or works to any trees or shrubs shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

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.

- 10 The development shall be carried out in accordance with the Reasonable Avoidance Measures (RAMs) statement for badgers, hedgehogs and common amphibians as detailed in the Preliminary Ecological Appraisal report (section 7.19).

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.

- 11 No development (including any demolition, site clearance or preparation works) shall take place until a detailed method statement for the removal or long-term management/eradication of invasive non-native (alien) species of plant on the site has been submitted to and approved in writing by the local planning authority. The method statement shall include measures to prevent the spread of invasive non-native (alien) species of plant during any operations such as mowing, strimming or soil movement, and measures to ensure that any soils brought to the site are free of the seeds/roots/stems of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall be carried out in accordance with the approved method statement.

Reason: In accordance with policy G7 of the adopted Rochdale Core Strategy and Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and 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 in the wild.

Reason for pre-commencement condition: Construction activity increases the risk of invasive species spreading.

- 12 No development (including any demolition, site clearance or preparation works) shall take place until the trees that are to be retained within the site, as indicated on drawing

TPP.13839 revision 01 (Tree Protection Plan) within the submitted 'Arboricultural Impact Assessment with Tree Protection Measures' document dated June 2024, have 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 and adhered to throughout the construction phase of the development and no works, 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 JPP1, JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Procedure Statement:

Date Decision Issued 26 June 2025

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: [Fees for Planning Applications in England](#)

INFORMATIVE:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

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. Please contact Environmental.Management@rochdale.gov.uk for a quotation for your development.

INFORMATIVE:

All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and

Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is subject to payment of an additional fee.

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