

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/01076/FUL

Name and address for correspondence:	Applicant name:
Miss Lia Jackson Rochdale Borough Council Number One Riverside Smith Street Rochdale OL16 1XU	Miss Lia Jackson

Part I - Particulars of Application

Date of Application: 11 November 2022

Proposal:	Dismantling, rebuilding and repair of grade II listed drinking fountain and trough in new location. Installation of 1.2m high railings
Location:	Land Opposite The White Hart, 701 Heywood Old Road, Middleton, OL10 2QL

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 works must be begun not later than the expiration of three years beginning with the date of this consent.

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

- 2 This consent relates to the following plans and documents

-Location Plan - 04 Rev A
-Elevations Plan - A1/200****/04
-Proposed Relocation of Trough Site Plan - Scheme -03 Rev D
-Heritage Statement by JW Conservation, dated August 2022

and the works shall be carried out in complete accordance with these plans and documents hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of works 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 No development shall commence until a detailed schedule covering dismantling, storage, repairs and reconstruction of the structure, including timeframes, has been submitted to and approved in writing by the local planning authority. This schedule shall also include a detailed photographic survey of the structure. The works shall be carried out in accordance with this approved schedule.

Reason: In order to ensure public benefits of the scheme are delivered and 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.

- 4 No development shall commence until designs for an interpretation board to be located near to the relocated fountain (or incorporated within any railings) shall be submitted to and approved in writing by the local planning authority. The board shall be installed in accordance with the approved details within 6 months following the relocation of the fountain.

Reason: In order to ensure public benefits of the scheme are delivered, and to ensure 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.

- 5 Notwithstanding the indicative details shown on the proposed plans, prior to their installation, full details including scaled drawings and proposed materials for any railings shall be submitted to and approved in writing by the local planning authority. Thereafter the railings shall be installed in accordance with the approved details.

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.

- 6 Notwithstanding the details shown on the approved plans, within 3 months of the date of this decision, a replanting scheme at a ratio of 2:1 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the planting size, species and numbers of any existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

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 satisfactory landscaping in accordance with policy G6 of adopted Rochdale Core Strategy.

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 5 April 2023

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.

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.

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 and given the relevant contact number for Natural England, which is via the Bat Conservation Trust on 0345 1300 228.

INFORMATIVE:

The applicants attention is drawn to the need to seek approval under the Highways Act 1980 from the Highways Maintenance section of the Impact Partnership (Contact the Highways Maintenance Team on 01706 924623) regarding the construction/alterations of the proposed dropped crossing/reinstatement of the footway/any other works on the adopted highway that isn't subject to a S38 or S278 Agreement, prior to works commencing on site.