

Town and Country Planning Act 1990 (as amended)

APPROVAL OF RESERVED MATTERS

APPLICATION REFERENCE: 24/00975/REM

Name and address for correspondence:	Applicant name:
Pulmann Associates Architects Pulmann Associates Bridge House 18A Bridge Street Milnrow Rochdale OL16 3ND	Sylvia Farrelly

Part I - Particulars of Application

Date of Application: 21 October 2024

Proposal:	Reserved matters application for appearance and landscaping pursuant to 21/01345/OUT (Outline application (including access, layout and scale) for the erection of 5 no. detached dwellings and associated vehicular access and car parking), including the submission of details to satisfy Conditions 4 (CMP), Condition 5 (Site Access Improvement), Condition 6 (Ecological Impacts), Condition 7 (Amphibian Assessment), Condition 8 (Contamination), Condition 9 (Drainage), Condition 10 (Site Levels) and Condition 11 (Japanese Knotweed).
Location:	Land At Waterfold Lane, Heywood, BL9 7JY

Matters for which approval is sought:

Siting, design, external appearance and landscaping of site.

Application number of outline permission to which this application relates:

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 approval has been **GRANTED** 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.

Conditions and Reasons:

- 1 This approval relates to the following plans and documents:
 - o Location Plan Drawing No 2024/004/100
 - o Material Schedule
 - o Proposed Site Plan with Drainage Details Drawing No M24-04-102C Rev C
 - o Proposed Site Section and Street Scene Drawing No M24-04-104a Rev A
 - o Proposed Elevations Drawing No 2024/004/103A Rev A
 - o Proposed Site Plan with Access Details Drawing No M24-04-109
 - o Proposed Landscaping Plan Drawing No M24-004-105A Rev A
 - o Boundary Treatment Plan Drawing No M24-04-106
 - o Construction Management Plan Referenced M24-04 CMP dated 29.09.24
 - o Phase I / II Contaminated Land Assessment Referenced 24/1516A.1
 - o Invasive Non-Native Plant Species Survey Referenced JK24-9565-SR-240603
 - o Preliminary Ecological Appraisal and Roost Assessment

and the development shall be carried out in accordance with these details hereby approved unless otherwise required by the conditions below.

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, Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 2 No development shall take place (other than demolition or works of site preparation) until a detailed remediation scheme to bring the site to a condition suitable for its intended use has been submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme shall thereafter be fully implemented.

Following completion of the measures identified in the approved remediation scheme and prior to first use/occupation of the approved development, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

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 remediation is necessary a remediation scheme must be prepared, which shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy thereafter. Prior to the first use or occupation of the

approved development, a verification report shall be 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.

Reason for pre-commencement condition: Details of remediation will be required to ensure the safe development of the site during the construction and operation phases of the development.

- 3 The development shall be carried out in accordance with the precautionary working methods recommended within the approved Preliminary Ecological Appraisal and Roost Assessment and these measures shall be carried out at all times throughout the entire course of the development.

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.

- 4 All proposed planting set out within Proposed Landscaping Plan Drawing No M24-004-105A Rev A shall be carried out in accordance with the approved details within the first planting and seeding seasons following the completion of the development. Any trees, plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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 Policy G7 of the adopted Rochdale Core, Policies JP-P1 and JP-G2 of the Places for Everyone Plan and the NPPF.

- 5 No above ground works (other than site clearance or site preparation) shall take place until such time as details of the proposed hardstanding / paving have been submitted to and approved in writing by the Local Planning Authority. Any submission shall include details of the proposed surfacing materials and construction details including a cross section showing the sub-base makeup.

The hardstanding shall be installed prior to the first use or occupation of the approved development thereafter.

Reason: In the interest of ensuring a satisfactory visual appearance and in the interest of ensuring the satisfactory drainage of surface water in accordance with Policies P3, G8 and DM1 of the adopted Rochdale Core Strategy, Policies JP-S4 and JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- a) A Biodiversity Gain Plan has been submitted to the planning authority,
- and;
- b) The planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Rochdale Borough Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the approval of reserved matters are not within the scope of biodiversity net gain as they are not a grant of planning permission.

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 4 July 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:

The applicant is reminded of statutory protections afforded to a vast number of species under the Wildlife and Countryside Act 1981 where it is a criminal offence to deliberately disturb, injure or kill such species. Planning permission does not serve as a defense to such acts.