

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/01006/VRCON

Name and address for correspondence:	Applicant name:
Mr Richard Fletcher Equilibrium Architects Ltd Bank Chambers Bank Street Bury BL9 0DL United Kingdom	Mr Jon Walker

Part 1 - Particulars of Application

Date of Application: 10 October 2024

Proposal:	Section 73 application to vary condition 2 (Approved Plans) and 3 (Affordable Housing Statement) of planning permission 24/00306/FUL (Construction of five new three bedroomed residential dwellings with associated car parking and landscaping works) to amend the approved documents/drawings and make external alterations to the dwellings including alterations to fenestration, removal of recess on the entrance doors, and minor changes to the footprint, position and ridge/ eaves height of the dwellings
Location:	Land Off Damson Green/Baytree Lane, Middleton , M24 2UL

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 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 The development must be begun not later than three years from the 20 August 2024.

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

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

R-0893-SLP - Site Location Plan

R-0893-01RevB - Proposed Floor Plans,

R-0893-05RevD - Proposed Elevations Plot 1 & 2

R-0893-10RevD - Proposed Elevations Plot 3, 4 & 5

R-0893-100RevA - Proposed Construction Site Plan

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.

- 3 The development hereby approved shall be implemented in full accordance with the substituted Affordable Housing Statement received 31.03.2025. 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 The development hereby approved 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), as well as in accordance with drawing No: 9320.PL.01 - Proposed Site Layout, submitted photographs of the tree protection measures and Drawing No: 7425.01 - Tree Survey and Root Protection Area, as approved under application 24/00848/DOC.

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.

- 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 The development hereby approved shall be carried out in full accordance with Drawing No: 9320.PL.01 - Proposed Site Layout and the Construction Environmental Management Plan by Walker Homes, dated 22/08/2024, received by the Local Planning Authority on 27th August 2024, as approved under application

24/00848/DOC. The 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.

- 7 The development hereby approved shall be carried out in full accordance with the submitted materials schedule (Drawing R0893 revision A - External materials schedule dated Sept 2024 received 4 October 2024) as approved under application 24/00871/DOC.

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:
- o Drainage Layouts drg 1332-900/P1 by Build Vision Consulting Eng. dated March 2024
 - o 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.

- 10 As indicated on drawings R-0893-05RevB and R-0893-10RevB, all windows in the first floor side elevations of plots 1, 2 and 3 hereby permitted shall be fitted with obscure glass and the obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy.

Reason: In the interests of the privacy of occupiers of neighbouring property in accordance with Policy DM1 of the adopted Rochdale Core Strategy and the requirements of 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 8 April 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: £43.00 for householder applications and £145.00 in all other cases.

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 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:

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