

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/01061/FUL

Name and address for correspondence:	Applicant name:
Mrs Sarah Jones Maybern Planning & Development Ltd Hurstwood Court New Hall Hey Road Rawtenstall BB4 6HR	Mr and Mrs Davies

Part I - Particulars of Application

Date of 18 October 2023
Application:

Proposal:	Erection of a single storey farm shop building with cafe, access, parking, and landscaping and other associated works (Resubmission of 22/01216/FUL)
Location:	Bank Top Farm, Hollingworth Road, Littleborough, Rochdale, OL15 0AU

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 development must be begun within three years of the date of this decision notice

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

- 2 The development shall be carried out in accordance with the following application plans unless otherwise required by the conditions below:

- o Site Location Plan - Drawing no. 21358-0201 Rev P-01
- o Existing Site Plan with Topographical Survey - Drawing no. 21358-0211 Rev P-00

- o Proposed Ground Floor Plan - Drawing no. 21358-CWA-XX-00-DR-A-2001 Rev P-04
- o Proposed Site Plan - Drawing no. 21358-CWA-XX-00-DR-A-2011 Rev- P05
- o Elevations Plan - Drawing no. 21358 -CWA-XX-ZZ-RD-A-2151 Rev P-05
- o Sections Plan - Drawing no. 21358-CWA-XX-ZZ-DR-A-2101 Rev P-03
- o Landscape Layout- Drawing no. 474/01 Rev E
- o Wider Landscaping Proposals - Drawing no. 474/D/02
- o Deck Section and Detail Plan - Drawing no.474/043

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 Not less than 50% of the total product range of goods to be sold from the farm shop shall be of goods produced at Bank Top Farm. Up to 50% of the total goods range shall be of goods produced from within an area of 50 miles from Bank Top Farm, and no more than 20% of the total product ranges sold may be sourced from elsewhere.

Reason: To ensure that the development operates as a farm shop and in order to protect the Green Belt from inappropriate development and to accord with policy G4 of the adopted Rochdale Core Strategy Policy GP-G8 of Greater Manchester Places for Everyone and the National Planning Policy Framework.

- 4 Prior to any above ground works, details of the external facing materials and finishes to be used shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt this shall include the use of natural stone and timber cladding for the external walls of the building, aluminium framed windows and doors, metal fascias and gutters and profiled metal composite roof decking, as detailed on approved drawing no. 21358 -CWA-XX-ZZ-RD-A-2151 Rev P-05 (Elevations Plan). The development shall be constructed in full accordance with the agreed details and retained as such thereafter.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 Prior to any above ground works, detailed specification of all boundary treatment and retaining walls shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this shall include the use of natural stone for the external facing of all retaining walls. The development shall be constructed in accordance with the approved details and retained as such thereafter.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 6 Prior to any above ground works, a scheme that identifies the vehicle access arrangements for the site shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the scheme shall include minimum sight lines of 2.4m x 116.6m northbound and 2.4m x 104.5m southbound as well as details of tactile paving and dropped kerbs. The approved details shall be constructed prior to first use of the development and retained thereafter and the approved sightlines shall remain free of obstruction.

Reason: In the interests of highway safety and to ensure safe access and egress of the site and to accord with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 7 Prior to any above ground works, full surface and drainage details of the proposed parking bays and access shall be submitted to and approved in writing by the Local Planning Authority. The approved parking and access areas shall be provided and

made available for use prior to first use of the development and be retained thereafter.

Reason: In the interests of highway safety and sustainable drainage and to accord with policies G8, T2 and DM1 of the adopted Rochdale Core Strategy, policy JP-S4 of Greater Manchester Places for Everyone and the National Planning Policy Framework.

- 8 Prior to first use of the development full details of bicycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved bicycle parking shall be provided and made available for use prior to first use of the development and be retained for use as bicycle parking thereafter.

Reason: In the interests of highway safety and to ensure that sustainable transport methods are supported and to accord with policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 9 Prior to first use of the development a Service Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the Service Management Plan shall include details, including the timings of servicing of the site, to ensure no conflict with other vehicles using the site. The development shall thereafter be operated in full accordance with the approved Service Management Plan.

Reason: In the interests of highway safety and to ensure sufficient space within the site for service vehicles and to accord with the requirements of policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 10 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this shall include evidence to demonstrate that the drainage hierarchy has been fully investigated.

The drainage scheme shall include:

- (i) A restricted rate of surface water discharge to public sewer of 5 l/s, if this proposal is accepted by United Utilities.
- (ii) Foul and surface water shall drain on separate systems at least to the point of discharge from the site, in accordance with Building Control Part H Drainage requirements.
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD.
- (iv) The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.
- (v) Mitigation measures to manage the risk of sewer surcharge, if UU Developer Services advise that this is necessary.
- (vi) Construction details for permeable paving including sub-base details e.g. cross-section, if this type of paving forms part of the sustainable drainage system.

The approved schemes 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 proposed development, the drainage schemes 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, policy JP-S4 of Greater Manchester Places for Everyone and the National Planning Policy Framework.

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

- 11 The Landscaping scheme identified on drawing nos. 474/01 Rev E (Landscape Layout) and 474/D/02 shall be fully carried out in accordance with the approved scheme within the next planting season following first use 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 10 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 to secure biodiversity mitigation in accordance with Policies P3, G1, G6 and G7 of the adopted Rochdale Core Strategy, policy GP-G8 of Greater Manchester Places for Everyone and the National Planning Policy Framework.

- 12 Prior to first use of the development a Remediation Verification Report that demonstrates and evidences that the details the design and installation of the remedial measures outlined in the submitted Phase 1 - Preliminary Risk Assessment, Report Ref: BEK-22019-1 Rev A, dated August 2022 have been implemented shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained thereafter.

Reason: To protect any future users of the site from unacceptable levels of contamination and to accord with policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 13 No development shall take place until a Construction Method Statement (CMS), has been submitted to, and approved in writing by the Local Planning Authority. For the avoidance of doubt the CMS shall include:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding;
- v) measures for the protection of the natural environment from accidental spillages, dust and debris including dedicated protection measures (including high visibility fencing) for the retained trees during and after construction;
- vi) a lighting plan designed to direct any temporary lighting away from the retained trees and hedgerow during and after construction.
- vii) hours of construction, including deliveries (which should not take place outside of the hours of 08:00-18:00 Monday to Friday and 09:00-14:00 Saturday, with no work taking place on Sundays or Bank Holidays).

The development shall be carried out in accordance with the approved CMS.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, T2, G7, G8 and G9 of the Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of nearby residents prior to commencement of any building or engineering works on site.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order), no works stated in Article 3 Schedule 2 Part 7 class A, B, C, or E shall be carried out unless planning permission is sought from and granted by the Council as local planning authority.

Reason: To protect the openness of the Green Belt and visual amenities of the area and to accord with policies G4, P1, P2, and P3 of the adopted Rochdale Core Strategy,

Procedure Statement:

Owing to very special circumstances, the proposal is considered to 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 17 June 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 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.