ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 20/01506/FUL

Name and address for correspondence:	Applicant name:
Miss Natalie Male Ainsley Gommon Architects 1 Price Street Hamilton Square Birkenhead CH41 6JN	Marta Weglarowicz Lovell Partnership Ltd

Part I - Particulars of Application

Date of Application: 4 January 2021

Proposal:	**Residential development for the erection of 55 dwellings together with improvements to existing Public Open Space and provision of a Local Equipped Area for Play.**
Location:	**Land Off Bonscale Crescent And Rothay Drive, Middleton**

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 not later than three years beginning with the date of this permission.

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

2 This permission relates to the following plans:
- 1973 001 Location Plan
- 1973 010 Rev. J Proposed Site Layout
- 1973 012 Rev. A Proposed External Works
- 1973 763T-400 NHT 763T Planning Floor Plans & Elevations
- 1973 789-400 NHT 789T Planning Floor Plans & Elevations
- 1973- 895T-400 3BSP - 859T Planning Floor Plans and Elevations

- 1973-912T-400 3BSP - 912T Planning Floor Plans & Elevations
- 1973 897T-400 3B5P - 897T Planning Floor Plans & Elevations
- 1973 912T-400 Rev. A 3B5P - 912T Planning Floor Plans & Elevations

and the development shall be carried out in accordance with these drawings hereby approved.

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 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4 No development (including any site clearance or preparation works) shall take place until such time as a scheme of Reasonable Avoidance Measures to ensure the protection of hedgehogs and bats which may be present on site, or use the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the duly approved RAMs scheme.

Reason: In order to prevent any harm to hedgehogs and bats in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Reasonable Avoidance Measures are required to be agreed and approved in advance of commencement of development to allow for measure to be implemented throughout the course of works on site.

5 No development shall take place (including any site clearance or preparation works) until a Construction Management Plan (CMP), which shall include the following, has been submitted to, and approved in writing by the Local Planning Authority:

a) the parking of vehicles of site operatives and visitors;
b) loading and unloading of plant and materials;
c) storage of plant and materials used in constructing the development;
d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
e) a detailed dust management plan;
f) wheel washing facilities; and
g) hours for site deliveries.

The approved CMP shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CMP without the prior written permission of the Local Planning Authority.

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, P3, T2, 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 and the functioning of the highway network prior to commencement of any building or engineering works on site.

6 No development shall take place until the results of further gas monitoring and a risk assessment for contamination, which shall accord with the recommendations contained within the 'Phase 2 Geo-environmental Site Investigation' (ref. 322692-R01 (00) dated March 2020 by RSK) and an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site have been 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 and a verification report submitted to and approved in writing by the Local Planning Authority before any of the buildings hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with policies G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement: An understanding of necessary remedial works is required before works start on site in order to ensure that comprehensive and appropriate remediation is undertaken from the commencement of engineering operations.

7 No development shall take place shall take place until a detailed surface and foul water drainage scheme (including drainage of surface water from access roads and parking areas) has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall:

- Substantially accord with the recommendations of the Flood Risk Assessment and Surface Water Drainage Strategy ref. 882050-R1(00) by RSK;
- Provide for the separate drainage of foul and surface water within the site;
- Accord with the surface water hierarchy of drainage options in the National Planning Practice Guidance, with evidence of an assessment of site conditions;
- Accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems or any subsequent replacement national standards;
- If including drainage of surface water to the combined public sewer, limit the discharge rate to a maximum of 12 l/s; and
- Include detail of how the drainage scheme will be maintained and managed after completion.

No part of the development shall be occupied until such time as the drainage scheme has been fully implemented in accordance with the duly approved detail. The drainage infrastructure shall be retained as such thereafter and maintained/managed in accordance with the duly approved detail in perpetuity.

Reason: 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 Rochdale Unitary Development Plan and the NPPF.

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

8 No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The tree protection measures shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Furthermore, the development, including works to trees and vegetation, shall be carried out in accordance with the works and mitigation recommendations within the

Arboricultural Impact Assessment (Amenity Tree Care ref. 8576 06.04.2020-V1-SB) and the tree protection plans contained within it.

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.

Reason for pre-commencement condition: Protection measures for retained trees are required to be in place prior to commencement of any works on site to ensure no damage is caused.

9 No development shall take place until finished floor levels for the proposed buildings and proposed site levels relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

Reason for pre-commencement: An understanding of proposed levels in relation to existing levels is required prior to commencement of any relevant engineering operations on site.

10 No above ground works shall take place until such time as a detailed scheme for the approved Local Equipped Area for Play, including but not limited to the matters listed below, has been submitted to and approved in writing by the Local Planning Authority:

i. A general arrangement layout plan;
ii. Specification of surfacing treatments;
iii. Full detail of proposed boundary treatments;
iv. Specification, full detail of appearance and the layout of the proposed play equipment;
v. Specification and layout of street furniture including benches and bin provision;
vi. Specification and layout of lighting, as appropriate; and

The duly approved scheme shall be implemented in full thereafter and no more than 30 dwellings within the site shall be first occupied until such time as the Local Area for Play has been made fully available for use. The Local Equipped Area for Play shall be retained and maintained thereafter in accordance with the details duly approved.

Reason: In the interests of proper planning, the visual amenities of the area and to ensure the provision of retained and enhanced open space on the site, in accordance with Policies P3, DM1, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and/or full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

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.

12 No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to, provision for bird boxes, bat boxes, bug hotels, wildflower seeding and hedgehog habitat (including provision of 'Hedgehog Highways') has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the 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.

13 (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers / densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.
(b) 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.
(c) 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 that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with policies P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

14 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 and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

15 No part of the development shall be occupied until such time as the car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted have been made fully available for use. The arrangements shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking, re-enacting or modifying that Order, the dwellings hereby approved shall not be extended and no buildings, structures gates, fences or walls shall be erected within their curtilage under Schedule 2, Part 1, Classes A, B, C and E or Schedule 2, Part 2, Class A of the above Order except with the express permission of the Local Planning Authority.

Reason: To prevent overdevelopment of the site, to ensure a satisfactory visual appearance and to ensure an adequate standard of amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and 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 20 May 2022

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.