

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00757/VRCON

Name and address for correspondence:	Applicant name:
Katie Forbes WSP 8 First Street Manchester M15 4RP	Lancet Homes

Part I - Particulars of Application

Date of Application: 6 August 2024

Proposal:	Section 73 application to vary condition 2 (Plans) of planning permission 22/01177/FUL (Erection 29 dwellings (Use Class C3) with associated access, landscaping and infrastructure) to include the installation of solar PV panels to the roofs of the dwellings
Location:	Land Off Mossylea Close, Middleton

Part II - 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 This approval relates to the plans and documents as listed below:
 - Location Plan - Drawing no. 00
 - Site Location & Existing Site Plan - Drawing no. 001 Rev A
 - Planning Layout – Drawing no. 01 Rev N
 - PV Site Plan – Drawing no. 26741/SK1
 - Illustrative Planning Layout - Drawing no. 02 Rev L
 - Boundary Treatment Layout - Drawing no. 03 Rev A
 - Illustrative Street Scenes - Drawing no. 05 Rev A
 - Landscape Layout - Drawing no. 101 Rev C
 - Type D22 – Drawing no. 20042_HT_01 Rev A

- Type D22 – Drawing no. 20042_HT_02 Rev A
- Type D22 – Drawing no. 20042_HT_03 Rev A
- Type D22 – Drawing no. 20042_HT_14
- Type F222 Floor Plans – Drawing no. 20042_HT_04
- Type F222 Elevations – Drawing no. 20042_HT_05 Rev A
- Type F322 Floor Plans – Drawing no. 20042_HT_06
- Type F322 Elevations – Drawing no. 20042_HT_07 Rev A
- House Type BU 1 – Drawing no. 20042_HT_11 Rev A
- House Type BU 2 – Drawing no. 20042_HT_12 Rev A
- House Type C22 – Drawing no. 20042_HT_13 Rev B
- Floor Plans – Drawing no. 20042_HT_15
- Elevations – Drawing no. 20042_HT_16
- Ecological Impact Assessment, prepared by Bowland Ecology and dated July 2022
- Crime Impact Statement, ref: 2022/0305/CIS/01 Version B: 01/08/22
- Clearline fusion Data Sheet v1.7 M10 EN
- Clearline Fusion Brochure

The development shall be carried out in accordance with the drawings/documents 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, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 2 The development shall be constructed in full accordance with the materials specification approved under application 24/00052/DOC and be retained thereafter.

Reason: In the interests of visual amenity and in accordance with policies P1, P2 and P3 of the adopted Rochdale Core Strategy and policy in the National Planning Policy Framework.

- 3 The windows and doors shall be installed in full accordance with the details approved under application 24/00198/DOC and be retained thereafter.

Reason: In the interests of visual amenity and in accordance with policies P1, P2 and P3 of the adopted Rochdale Core Strategy and policy in the National Planning Policy Framework.

- 4 The development shall be completed in full accordance with the levels approved under application 24/00052/DOC.

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 condition: The finished floor levels will dictate the ground works and therefore it is important that the levels are considered at an early stage and agreed before development commences on site.

- 5 Notwithstanding the details shown on drawing no. 03 Rev A (Boundary Treatment Layout), the boundary treatment shall be completed in accordance with the details approved under application 24/00198/DOC.

Reason: In the interests of visual and residential amenity and to accord with policies P1, P3 and DM1 of the adopted Rochdale Core Strategy and policy in the National Planning Policy Framework.

- 6 No clearing of vegetation shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: In order to prevent disturbance to any nesting birds that may be present in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 7 No development or works of site preparation shall take place until all trees and hedges 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 fencing 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.

Reason: In order to protect the existing trees and hedges in the interests of the amenities of the area and in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure that retained trees are protected from all development at the site.

- 8 Notwithstanding the details shown on the approved plans, the buildings hereby approved 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, retaining structures 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, a scheme for the timing / phasing of implementation works and the provision of bird nesting and bat roosting opportunities.

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 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 and the National Planning Policy Framework.

- 9 The biodiversity enhancements identified in section 8 and Appendix F of the submitted Ecological Impact Assessment, prepared by Bowland Ecology and dated July 2022 shall be fully installed prior to first occupation of development and retained thereafter.

Reason: To ensure that the development would provide suitable species habitat mitigation and to accord with policy G7 of the Rochdale Core Strategy and policy in the National Planning Policy Framework.

- 10 Unless a phasing plan and schedule to demonstrate alternative arrangements is submitted to and approved in writing by the Local Planning Authority, no part of the development shall be occupied until such time as the servicing and vehicular access arrangements shown on the approved plans to serve the development hereby permitted have been made available for use and each property shall not be occupied until its car parking arrangements, as shown on the approved plans, have been fully made available for use. The approved or phased 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.

- 11 No part of the development shall be occupied until details of measures to cover a self-enforcing 20mph zone throughout the site are submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to ensure the functionality of the wider highway network in accordance with the Core Strategy policy T2 and the National Planning Policy Framework.

- 12 No part of the development shall be occupied until full details of cycle storage for each dwelling hereby approved has been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided to each property prior to their first occupation and be retained thereafter.

Reason: In order to ensure that the development encourages people to travel by sustainable modes of transport in accordance with policies T1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 13 No part of the development shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

- o Firm measures for promoting a choice of transport modes
- o A monitoring regime with agreed mode share targets
- o Monitoring procedures and mechanism to ensure that the plan remains effective and is reviewed within a framework approved by the Local Planning Authority

The approved Travel Plan shall be implemented on first occupation of the development hereby permitted.

Reason: In order to ensure that the development encourages people to travel by sustainable modes of transport in accordance with policies T1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 14 The security measures outlined in section 4.1 - 4.4 of the submitted Crime Impact Statement, ref: 2022/0305/CIS/01 Version B: 01/08/22 shall be installed prior to first occupation and retained thereafter.

Reason: In the interests of crime prevention and to accord with policy DM1 of the Rochdale Core Strategy and policy in the National Planning Policy Framework.

- 15 Prior to first occupation of the proposed development, the drainage scheme approved under application 24/00052/DOC shall be fully implemented 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.

- 16 The development hereby approved shall be undertaken in full accordance with the Construction Method Statement, prepared by Tempus Design & Build Ltd, Document Title 22nd August 2022: TDB 01/02, dated 22nd August 2022.

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 and to ensure dust and dirt are managed during

construction works for air quality reasons in accordance with Core Strategy Policy G9 and the National Planning Policy Framework.

- 17 Prior to first occupation a scheme to show the installation of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved vehicle charging points shall thereafter be installed to each property prior to its occupation and retained thereafter.

Reason: To ensure the provision of environmentally friendly technology to accord with the requirements of policies G1 and G2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 1 (or any equivalent Order following the amendment, re-enactment or revocation thereof) plots 3 and 29 of dwellings hereby approved shall have no side or rear extensions added under Schedule 2, Part 1, Classes A, of the above Order except with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with policies G4, P1, P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 1 (or any equivalent Order following the amendment, re-enactment or revocation thereof) the dwellings hereby approved shall have no rear extensions added under Schedule 2, Part 1, Class A part g and h of the above Order except with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential and visual amenity in accordance with policies P1, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 1 (or any equivalent Order following the amendment, re-enactment or revocation thereof) the dwellings hereby approved shall have no additional storeys added under Schedule 2, Part 1, Classes AA Schedule 2 of the above Order except with the prior written approval of the Local Planning Authority.

Reason: In the interests of visual and residential amenity in accordance with policies P1, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 1 (or any equivalent Order following the amendment, re-enactment or revocation thereof) the dwellings hereby approved shall have no hard surfaces added to their front curtilage under Schedule 2, Part 1, Class F of the above Order except with the prior written approval of the Local Planning Authority.

Reason: In the interests of visual amenity and sustainable drainage in accordance with policies P1, P3, G8 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Statement under Article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended):

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 November 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:

Permission is granted subject to the signed s106 legal agreement issued under application 22/01177/FUL.

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 a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. 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. Property specific summary information on coal mining can be obtained from The Coal Authority 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.