



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/01168/VRCON

Name and address for correspondence:	Applicant name:
Paul Clark CJ Partnership Blue Pit Mill Queensway Castleton Rochdale OL11 2PG	Mr Badih El-Hage

Part I - Particulars of Application

Date of Application: 24 October 2023

Proposal:	Section 73 application to vary condition 2 of planning permission 21/00282/FUL (Erection of 9 no. detached dwellings with associated landscaping and access from Chestnut Way) to allow the increase garage size attach to the dwelling on plot 1 and to increase the size of garages on plots 5 and 9 from 1.5 to 2 car size
Location:	Land Off Chestnut Way, Littleborough, ,

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 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 The permission relates to the following plans:

- Site Location Plan - Drawing no. 01 Rev A
- Existing Site Plan - Drawing no. 02L Rev B
- Proposed Site Plan - Drawing no. 14 Rev E
- House Type 11 Plots 06 and 09 - Drawing no. 3586-19 Rev D
- House Type 11h Plot 05 - Drawing no. 3586-20 Rev B
- House Type 11G Plot 02 - Drawing no. 3586-21 Rev B
- House Type 10G Plot 03, 04 and 08 - Drawing no. 3586-22 Rev B
- House Type 10Gh Plot 07 - Drawing no. 3586-24 Rev B
- House Type 12 Drawing no. 17 Rev C

- Garage Plans - Drawing no. 25 Rev A
- Proposed Residential Development Drainage Plan & Details, File Name: dwg-tjba-CRH-Chestnut way-020922, Revision 1, Dated July 2023

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 and the National Planning Policy Framework.

- 3 Except for the materials approved under applications 23/00666/DOC and 23/01150/DOC and 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.

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.

- 4 No above ground works shall take place until a scheme for the full specification of the windows and doors have been submitted to and approved in writing by the Local Planning Authority. The specification shall include, at a scale of not less than 1:20 the longitudinal and cross sectional detailing with the depth of the reveal shown, cill and lintel detailing and means of opening together with any finished treatment. The window and doors shall be installed in accordance with the approved specification prior to first occupation and 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.

- 5 No above ground works shall take place until details of the appearance, materials, profile and method of opening of the proposed dormer windows have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained as such 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.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) prior to first occupation of the dwellings hereby permitted all first and second floor windows to the side elevations shall be fitted, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

- 7 Finished floor levels shall be in accordance with the details approved under application 23/00666/DOC and no development shall take place until finished ground levels levels for the proposed buildings relative to agreed off-site datum points 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 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.

- 8 Notwithstanding the details shown on drawing no. 14 Rev E (Proposed Site Plan) no above ground works shall take place until full details of the boundary treatments of the site have been submitted to any approved in writing with the Local Planning Authority. The development shall be undertaken in accordance with the approved details prior to first occupation of the development and retained thereafter.

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.

- 9 No development shall take place until a scheme for the protection of the trees beyond the northwest site boundary has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the scheme shall be in accordance with BS 5837:2012 and shall include a tree protection plan(s) and an arboricultural method statement. The development shall thereafter be undertaken in accordance with the approved scheme.

Reason: To ensure that trees around the site will be retained and will not be damaged during development and the protect the amenities of the area in accordance with policy G6 and DM1 of the Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure that any measures required for the protection of trees are in place before work commences so as to ensure no harm to the trees.

- 10 No development shall take place until a Reasonable Avoidance Measures (RAMs) method statement for badgers, small mammals, amphibians and reptiles has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved RAMs.

Reason: To ensure that ecology at and around the site is sufficiently protected during development and to accord with policy G7 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure that any measures required for the protection of ecology at the site are prepared before work commences to ensure no harm takes place.

- 11 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.

- 12 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. For the avoidance of doubt, the details shall be in accordance with Biodiversity Enhancement and Management Plan, prepared by Verity Webster and dated May 2022. 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 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 and the National Planning Policy Framework.

- 13 The biodiversity enhancements identified in sections 2.3, 2.4 and 2.5 of the submitted Biodiversity Enhancement and Management Plan, prepared by Verity Webster and dated May 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.

- 14 No external lighting shall be installed unless and until a detailed lighting scheme for any external lighting to be installed within all highways, footpaths, open spaces and on the building, has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the position and height and means of lighting to be affixed on the building or site and its luminance, angle of installation and any hoods to be fixed to the lights. Only lighting as approved shall be installed on the site in accordance with the terms of any such approval.

Reason: To avoid disturbance to protected species and in the interests of residential amenity and general amenity in accordance with policies P1, P3, G7, G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 15 The parking spaces as identified on drawing no. 14 Rev A (Proposed Site Plan) shall be provided and made available for the parking of vehicles prior to first occupation of the development. The parking spaces shall thereafter be retained for the parking of vehicles.

Reason: In the interests of highway safety and to ensure sufficient car parking is made available and in accordance with policy T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 16 The development shall be undertaken in accordance with the Outline Site Traffic Management Plan approved under application 23/00666/DOC and no development shall take place until a Construction Method Statement (CMS) that details the hours of construction has been submitted to and approved in writing by the Local Planning Authority.

The duly approved Construction Management 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 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.

Reason for pre-commencement condition: These measures are required to be in place upon commencement.

- 17 The discharge of foul and surface waters from the site shall be installed in full accordance with the details shown on drawing ref no: proposed Residential Development Drainage Plan & Details, File Name: dwg-tjba-CRH-Chestnut way-020922, Revision 1, Dated July 2023, approved under application 23/00666/DOC.

No dwelling shall be occupied until a verification report documenting the installation of the drainage for that plot, to include photographic evidence, in accordance with the approved scheme has been submitted to and approved in writing by the local planning authority. The verification report for the final dwelling to be occupied shall include evidence of any out of plot drainage installations. The foul and surface water drainage shall thereafter be maintained in accordance with the approved scheme and retained as such thereafter.

Reason: To prevent increased risk of flooding and to ensure satisfactory disposal of foul and 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.

- 18 The development shall be undertaken in accordance with the Geo-Environmental Audit, Phase 1, Phase 2 and Phase 3 (Revision 3 - June 2023), Prepared by TJ Booth Associates, Reference: rep-tjba-CRH-chestnut way-Phs 1+2+3 Env-220922.docx, approved under application 23/00666/DOC.

Following completion of the measures identified in the remediation scheme outlined at section 3.3 of the report a validation report shall be prepared and submitted to and approved in writing by the Local Planning Authority before any of the dwellings 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.

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 12 March 2024

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 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.

The Drainage Officer has advised that whilst the loading from garages is relatively low, they have recommended that the developers be advised that the garages to plots 5 and 9 are in close proximity to drainpipes and therefore should be mindful of avoiding damage to the drainage pipework during construction.