

Town and Country Planning Act 1990 (as amended)

## PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/00860/VRCON

|                                                                                                                                       |                            |
|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| Name and address for correspondence:                                                                                                  | Applicant name:            |
| MARTIN ASHWORTH<br>JAMES CAMPBELL ASSOCIATES LTD<br>CAMPBELL HOUSE<br>173 ROCHDALE RD<br>FIRGROVE,<br>MILNROW<br>Rochdale<br>OL16 3BN | STEVEN AND ELAINE WILLIAMS |

### Part I - Particulars of Application

Date of Application: 6 September 2023

|                  |                                                                                                                                                                                                                                                                                                                                  |
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| <b>Proposal:</b> | <b>Section 73 application to vary Condition 1 (Time Limit), Condition 2 (Approved Plans), Condition 6 (Tree Protection), Condition 7 (Stonework), 8 (Materials), Condition 11 (Existing Dwelling Demolition) of planning permission 21/00269/FUL for Erection of detached dwelling following demolition of existing dwelling</b> |
| <b>Location:</b> | <b>Higher Moorgate Farm, Gristlehurst Lane, Heywood, Rochdale, OL10 4BJ</b>                                                                                                                                                                                                                                                      |

### 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 permission relates to the following list of submitted plans, drawings and documents:-
  - 3564/04 - Location Plan
  - 3564/02 - Existing Floor Plan
  - 3564/03 - Existing Elevations
  - 3564/13/F - Existing and Proposed Site Plan
  - 3564/15/B - Volume Calculations
  - Proposed Elevations - 22.2926.21B - received 21/03/2024
  - Proposed Floor Plans - 22.2926.20A - received 21/03/2024

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

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 2 The development shall be carried out in accordance with the drawing BELOW SLAB DRAINAGE & SURFACE WATER LAYOUT ref. 52-XX-02 rev. C by Design 24 Consulting dated 15/05/2022. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface and foul water from the site in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 3 The development shall be carried out in accordance with the submitted Phase I and II contamination reports by LK Group. The development shall be carried out in accordance with the recommendations of the report.

Reason: 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 and the National Planning Policy Framework.

- 4 The submitted details of Reasonable Avoidance Measures in relation to amphibians as documented in

- Natural England Letter Reference: 2021-53626-EPS-MIT
- Natural England Letter Date: 27 July 2021 Our Ref: 2021-53626-EPS-MIT
- Modifications Checklist

are accepted and the development shall be carried out in accordance with the approved measures and shall thereafter be fully implemented, in order to comply with the requirements of the condition.

Reason: To safeguard any protected species which may either live or forage within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 The trees that are to be retained within the site shall be enclosed with temporary protective fencing and temporary ground protection has been fully installed in full accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. The fencing and flooring shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place beyond such protective fencing during the construction period. The development shall thereafter be carried out in full accordance with the Arboricultural Impact Assessment received on 20th July 2020.

Reason: In order to protect the existing tree on the site in the interests of the amenities of the area and in accordance with Policies P2, P3, G1, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 6 The development shall be carried out in accordance with the following materials:

- Ashlar Sandstone Cladding
- Imperial Bricks - Country Blend
- Spitfire Doors
- Anthracite Grey Aluminium window frames
- Cast Stone Copings

The development shall be constructed in accordance with the approved materials and they shall be retained as such thereafter.

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.

- 7 Notwithstanding any description of materials in the application, 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.

- 8 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.

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 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 Core Strategy Policy G6 and G7 and the National Planning Policy Framework.

- 9 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.

- 10 No external lighting shall be installed on the dwelling hereby approved unless and until a detailed scheme for the same has been submitted to and approved in writing by the Local Planning Authority. Any such scheme shall be duly implemented in accordance with the approved details and retained as such thereafter.

Reason: In the interests of ensuring the conservation of protected species in accordance with Policy G7 of the adopted Rochdale Core Strategy, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

- 11 The car parking and vehicular access arrangements shown on the approved plan '3564/13/F - Existing and Proposed Site Plan' to serve the development hereby permitted shall be made fully available for use prior to the development being first occupied and shall be retained thereafter for their intended purpose.

Reason: In the interest 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.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the dwelling hereby approved shall not be altered or extended, and no buildings or structure shall be erected within their curtilage under Schedule 2, Part 1, Classes A, AA, B, D, E and of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent overdevelopment in Green Belt in accordance with the objectives of Policy G/D/2 of the adopted Rochdale Unitary Development Plan, Policy G4 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 13 Pursuant to condition 3, and prior to first occupation of any dwelling, a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: 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 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 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            7 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:**

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](http://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](mailto:environmental.management@rochdale.gov.uk) for a quotation for your development.