



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/01281/FUL

Name and address for correspondence:	Applicant name:
Mr Daniel Llado TDM Architectural Ltd 538 ROCHDALE ROAD ROYTON OLDHAM MANCHESTER OL2 6SF	MR AHMED NOOR

Part I - Particulars of Application

Date of Application: 25 March 2024

Proposal:	Erection of a detached commercial unit with mezzanine floor together with associated parking
Location:	Land Rear Of 8 Buckley Road, Rochdale, OL12 9DJ,

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:-

Drawing No: PL08 - Proposed & Existing Street Scenes
Received 8th January 2024

Drawing No: PL06 rev A - Location Plan
Received 22nd January 2024

Drawing No: PL07 rev A - Proposed Bin Store Plan

Drawing No: PL09 - Proposed Bin Store Plans and Elevations
Received 30th January 2024

Drawing No: PL05 rev A - Proposed Elevations
Received 28th February 2024

Drawing No: PL04 rev B - Proposed Plans
Received 19th March 2024

Drawing No: PL11 - Proposed Site Plan
Received 5th June 2024

and the development shall be carried out in complete 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 Notwithstanding any description of materials in the application, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the building have first been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the approved details.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity and ensuring the new development responds positively to the local context and character, in accordance with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 4 No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

Reason: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 The building hereby permitted shall not be occupied until all vehicle parking space(s) have been provided in accordance with the plans hereby approved. The space(s) shall be kept available for parking at all times thereafter.

Reason: In order to ensure there is adequate provision for vehicles to be parked and adequate turning and servicing provision clear of the highway in order to comply with Policy T2 of the adopted Rochdale Core Strategy, Policy JP-C8 of PfE and the requirements of the National Planning Policy Framework.

- 6 Prior to first occupation of the development hereby approved, the refuse and recycling storage facility shall be implemented fully in accordance with those details shown on the approved plans and thereafter retained for use by occupiers of the dwelling/building at all times.

Reason: In the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policy T2 of the adopted Rochdale Core Strategy, Policy JP-C8 of PfE and the requirements of the National Planning Policy Framework.

- 7 Prior to first occupation of the building hereby approved a plan showing covered and secure cycle parking provision can be satisfactorily provided on site shall be submitted to and been approved in writing by the Local Planning Authority. The cycle parking

spaces shall be provided in full accordance with the approved details prior to first occupation and thereafter kept free of obstruction and retained in accordance with the approved details and shall remain available for the parking of vehicles at all times.

Reason: These details are required due to insufficient information being contained within this submission and in order to encourage travel by sustainable alternatives to private vehicle in accordance with Policy T2 of the adopted Rochdale Core Strategy.

- 8 No development shall commence until details of the proposed boundary fencing to all boundaries (if applicable) has been submitted to, and approved in writing by, the Local Planning Authority. The details shall include retained, repaired and replaced fencing, height, materials and any additional measures/specifications. The details shall include any proposed gates within the site.

Reason: In the interests of visual amenity and the character of the area in accordance with Policy P3 of the Rochdale Core Strategy.

Reason for pre-commencement condition: Boundary treatment 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.

- 9 The development hereby approved shall be carried out in accordance with Section 6 - Flood Risk Management of the Flood Risk Assessment by RIDA Flood Risk Assessments and Drainage Strategies, Reference: 609 FRA-v1, Dated Jan-24.

Reason: In the interests of flood prevention in accordance with saved UDP policy EM/7, Policy G9 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

- 10 No development shall commence until 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. The drainage scheme shall be based upon Appendix D in the Drainage Strategy report by RIDA. Doc ref 609 FRA-v1 dated January 2024 and shall:-

(i) Provide "For Construction" plan(s) with final pavement levels of the proposed permeable paving and any associated drainage infrastructure, and the foul connection to public sewer. The plan shall include details of any filter drains. The paving type shall be clearly specified.

(ii) Provide "For Construction" details for permeable paving including kerbing and cross-section of open graded sub-base on dated and checked drawing(s). The details shall confirm whether impermeable lining is necessary.

(iii) Provide details that confirm if roof drainage provision for the new building conforms with supplier's design specifications regarding distribution of flows to permeable subbase.

The approved scheme 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/ use of the proposed development, the drainage scheme 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 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 No development shall commence until a risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. The report of the findings must include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

The development shall thereafter be completed in full accordance with the approved recommendations.

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 Policy G9 of the adopted Rochdale Core Strategy, saved Policy EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure safe development of the site in the interest of future occupiers, and to prevent pollution of the water environment.

- 12 No development shall commence on site until, a reasonable Avoidance Measures Method Statement for mammals, including badger and amphibians, is submitted to, and approved in writing by, the Local Planning Authority. This protection shall extend to the water body to the south of the eastern edge of the development area and a protective buffer zone introduced between the watercourse and the pond.

Reason: To ensure mitigation measures are implemented to protect Buckley Brook and in the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of PfE and the National Planning Policy Framework.

Reason for pre-commencement condition: As insufficient information has been provided to ensure mammals and amphibians are protected during the course of construction.

- 13 No development shall commence until a method statement detailing control measures for Japanese knotweed and Cherry Laurel shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full.

Reason: To ensure the invasive species are treated and eradicated to prevent them from spreading into the adjacent woodland habitat in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of PfE and the National Planning Policy Framework.

Reason for pre-commencement condition: It is important that measures to deal with invasive species are determined prior to the commencement of works to ensure that any site works do not result in the spread of these species.

- 14 No development shall commence, including site clearance, earth moving or material or machinery brought on site until a Construction and Maintenance Plan (CMP) to protect the Buckley Brook, the watercourse and the wooded vegetation to the east from

accidental spillages, dust and debris has been submitted to, and approved in writing by, the Local Planning Authority. The CMP shall include a protective buffer zone to areas abutting the watercourse and pond. All measures will be implemented and maintained for the duration of the construction period in accordance with the approved details.

Reason: To ensure construction materials and pollution are prevented from entering the watercourse and pond in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of PfE and the National Planning Policy Framework.

Reason for pre-commencement condition: As insufficient information has been provided to ensure Buckley Brook, watercourse and wooded vegetation are protected during the course of construction.

- 15 Notwithstanding the details shown on the approved plans, prior to first occupation of the building hereby approved, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall specify means of treatment for hard surfaced areas, means of enclosure including mammal gaps where appropriate, specify species (native tree planting), planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate, and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s) or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

Reason: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy G6 of the Rochdale Core Strategy, Policy JP-G7 of PfE and the NPPF.

- 16 No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to, bird boxes, Swift bricks, House Martin nest mounds, mammal gaps, bat bricks and bat boxes to be integrated to the fabric of the buildings and elsewhere within the site 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.

- 17 No development shall commence until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Project Design which has been submitted to and approved in writing by the local planning authority. The Project Design shall cover the following:

1. A phased programme and methodology to include:
 - a) an archaeological watching brief during any ground-breaking works.
2. A programme for post-investigation assessment to include:
 - a) analysis of the site investigation records and finds;
 - b) production of a final report on the significance of the heritage interest recorded.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the site investigations commensurate with their significance.
5. Provision for archive deposition of the report, finds and records of the site investigation.

6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved Project Design.

Reason: In accordance with Policy P2 of the Rochdale Core Strategy, Policy JP-P2 of PfE and the NPPF Policy 211: To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible.'

Reason for pre-commencement condition: As insufficient information has been provided to ensure any archaeological remains that do survive are not damaged by construction works.

- 18 No development shall commence until a Dust Management Plan, which includes mitigation measures, has been submitted to and approved in writing by, the Local Planning Authority.

Reason: These details are required due to insufficient information being contained within this submission and to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policy G9 of the Rochdale Core Strategy.

Reason for pre-commencement condition: These details are required due to insufficient information being contained within this submission.

- 19 No development shall commence on site until a detailed Air Quality Assessment to determine whether mitigation is required to protect the residents from the effects of poor air quality is submitted to and approved in writing by Local Planning Authority. The assessment shall have regard to the impact upon the A58 Halifax Road. Where this Air Quality Assessment identifies that future residents will be exposed to poor air quality, an air quality mitigation scheme shall accompany this assessment demonstrating sufficient mitigation to protect the occupants. The scheme shall be implemented as approved prior to occupation of any part of the development and retained as approved at all times thereafter.

Reason: These details are required due to insufficient information being contained within this submission and in order to protect the health of future occupants of the proposed development in accordance with Policy

Reason for pre-commencement condition: These details are required due to insufficient information being contained within this submission.

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 13 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 to refer to the advice given by United Utilities dated 25th April 2024.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).