

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/01033/FUL

Name and address for correspondence:	Applicant name:
PossAbilities Malcolm McClean PossAbilities Organisation Cherwell Wellbeing Hub Heywood Rochdale Rochdale OL10 4SY	PossAbilities Malcolm McClean PossAbilities Organisation

Part I - Particulars of Application

Date of 3 November 2023
Application:

Proposal:	Residential development comprising of 17 supported living apartments including associated office space, entrance hall offering a break out, communal space for residents and visitors with servicing, landscaping, off street car parking and bin storage
Location:	Mount Green Filling Station, Halifax Road, Wardle, Rochdale, OL16 2SQ

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 approval relates to the plans and documents as listed below:

- Site Location Plan - Drawing no. 0100 Revision P6
- Existing Site Plan - Drawing no. 0101 Revision P4
- Existing Site Sections - Drawing no. 0102 Revision P5
- Proposed Site Plan - Drawing no. 1000 Revision P9

- Landscape Materplan - Drawing no. 2100 Revision P1
- Proposed GA Plan Level 00 - Drawing no. 3000 Revision P11
- Proposed GA Plan Level 01 - Drawing no. 3001 Revision P10
- Proposed GA Plan Level 02 - Drawing no. 3002 Revision P10
- Proposed GA Plan Roof Level - Drawing no. 3003 Revision P6
- Proposed GA Elevations - Drawing no. 3601 Revision P8
- Proposed GA Elevations - Drawing no. 3602 Revision P8
- Proposed GA Elevations - Drawing no. 3603 Revision P4
- Proposed GA Sections - Drawing no. 3800 Revision P5

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.

- 3 The development hereby approved shall only be occupied under Use Class C3(b) and be used for no other purpose as set out in the The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Reason: For the avoidance of doubt and to ensure that the supported living provision is not replaced with an alternate residential use and to protect the mix of residential provision in the area to accord with policies JP-H2 and JP-H3 of Places for Everyone and the National Planning Policy Framework.

- 4 No above ground construction works shall take place until samples and full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt this shall include, grey roof tiles, red facing brick, grey aluminum windows and a sample panel of the proposed corbelled brick. Such details shall include the type, colour and texture of the materials. The 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, policy JP-S1 of Places for Everyone and the National Planning Policy Framework.

- 5 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 and for the avoidance of doubt, the integral blinds and one way film shown on drawing nos. 3601 and 3602 (Proposed GA Elevations) shall be included. 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, policy JP-S1 of Places for Everyone and policy in the National Planning Policy Framework.

- 6 Notwithstanding the details shown on drawing no. 1000 (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, policy JP-S1 of Places for Everyone and policy in the National Planning Policy Framework.

- 7 No part of the development shall be occupied until full details of the bin enclosure have been submitted to and approved in writing by the Local Planning Authority. The bin enclosure shall be provided and be made available for use prior to first occupation and be retained thereafter.

Reason: In the interests of visual amenity and highway safety and to ensure that the bins are adequately stored and to accord with policies P1 and DM1 of the adopted Rochdale Core Strategy, policy JP-S1 of Places for Everyone and the National Planning Policy Framework.

- 8 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, policy JP-C8 of Places for Everyone and the National Planning Policy Framework.

- 9 No part of the development shall be occupied until validation testing has been submitted to and approved in writing to demonstrate that the following internal noise levels have been achieved:

- o 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- o 30dB(A) Leq 8 hour in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- o 35 dB(A) Leq (16 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;
- o 40dB(A) Leq (16 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.

The approved noise levels shall thereafter be retained.

Reason: To ensure that residents are not subject to excessive levels of noise in the interests of residential amenity and to accord with policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 10 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, policy JP-G8 of Places for Everyone and the National Planning Policy Framework.

- 11 No development or works or 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, policy JP-G8 of Places for Everyone and the National Planning Policy Framework.

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

- 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. The details shall include the formation of any banks, terraces, retaining structures or other earthworks, hard surfaced areas and materials, planting plans, including a replacement tree schedule on a 2:1 ratio, 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 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, policy JP-S1 and JP-G8 of Places for Everyone and the National Planning Policy Framework.

- 13 No above ground works shall take place until a scheme for the provision of bird nesting opportunities and hedgehog and small mammal enhancements as identified in the Initial ecological assessment & biodiversity net gain statement, prepared by Living Ecosystems has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully implemented prior to first occupation of the development and be 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, policy JP-G8 of Places for Everyone and policy in the National Planning Policy Framework.

- 14 No development shall take place until a full condition survey of the unadopted highway (Wuerdle Street) has been undertaken and submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development, the unadopted highway (Wuerdle Street) shall be returned to its pre-development condition and a further condition survey shall be submitted to and approved in writing by the Local Planning Authority.

Reason: in the interest of highways safety in accordance with policy DM1 of the Rochdale Core Strategy, policy JP-C8 of Places for Everyone and the National Planning Policy Framework.

Reason for pre-commencement condition: The condition relates to the construction phase of development.

- 15 Prior to the commencement of development, 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 include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of surface water discharge to public combined sewer, but only if the Planning Authority agrees that infiltration is discounted by the investigations; in this case, the rate should match the existing predevelopment greenfield runoff rate from the site or 5l/s, whichever is the larger value, or be a reduction in the existing brownfield runoff rate of 50% of Qbar (average annual peak flow, 1 in 2.3 year storm return period).

(iii) Construction details for permeable paving including kerbing and cross-section of open graded sub-base, if this type of paving forms part of the sustainable drainage system.

(iv) Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD. Foul and surface water shall drain on separate systems at least to the point of discharge from the site, in accordance with Building Control Part H Drainage requirements.

(v) The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.

(vi) Provision of a Maintenance Document explaining how the surface water scheme will be maintained and managed after completion.

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, policy JP-S4 of Places for Everyone 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.

- 16 A watching brief for contamination shall be maintained throughout the development. If during works on site contamination is suspected or found or contamination is caused, the Local Planning Authority shall be notified immediately and no further works shall take place until a suitable site investigation and/or risk assessment and/or scheme for remedial actions has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details. If contamination is not suspected, found or caused during development a completion letter shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that residents are protected from any unidentified contamination of the site and to accord with policies G9 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 8 August 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 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.